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AN EXPLORATION OF AN ETHOGENIC WHISTLE-BLOWING ORGANISATIONAL CULTURE IN THE SOUTH AFRICAN PUBLIC SECTOR

by

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DEDICATION

I dedicate this study to my Father in Heaven. Thank You for Your faithfulness, consistency, Your blessings and Your grace. Thank You for completing this work. I also dedicate this to my mother; you mean the world to me. Finally, to every whistle-blower, THANK YOU. Because of you, Africa has hope for a corruption-free future. You are appreciated!

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"SHE BELIEVED SHE COULD, AND SO SHE DID"

I HAVE DONE IT!

ABSTRACT

Corruption has a destructive impact on the achievement of good governance and this has become evident in the governance of South Africa. South Africa has a systemically corrupt public sector, making it one of the most corrupt countries on the continent. Having an understanding of the principles guiding public administration in the Constitution juxtaposed with the extent of corruption in the South African public service, it is apparent that whistle-blowing is a necessary tool in the eradication of corruption as a fundamental anti-corruption mechanism. However, due to the expanse of unethical behaviour in the public sector organisational culture, whistle-blowing is stigmatised and negatively perceived by public servants. When a wrongdoing is committed, retribution is faced by the whistle-blower and not the perpetrator. Whistle-blowing is thus not institutionalised into the South African public sector despite the existence of legislation supporting and promoting whistle-blowing. This characterises the sector as one with a whistlegenic organisational culture.

Given the context in which reporting wrongdoing exists, this study sought to explore the institutionalisation of whistle-blowing in the South African public sector. The primary objective of the study was to determine the current state of whistle-blowing, the challenges thereof, focusing primarily on the Gauteng provincial departments as the area informing the study. The study also aimed to investigate how an ethogenic organisational culture, in which whistle-blowing is embedded in the culture, can be achieved in the public service of South Africa.

The study employed the qualitative research approach. E-mail interviews were conducted with the Integrity Management Unit of the Gauteng Province in addition to a focus group interview conducted with the ethics officers of the Gauteng provincial departments. The onus of promoting ethical behaviour and thereby the anti-corruption measures provincial departments lies on the selected participants making them suitable to inform the research. The study employed a thematic analysis to analyse the collated findings. The study found that there are numerous challenges faced within the public sector that deter employees from whistle-blowing, in addition to the fear of retaliation. Ultimately, these challenges are a consequence of a systemically corrupt

organisational culture and weaknesses in leadership. Subsequently, the study provided feasible recommendations which may be applied in the public sector to achieve an ethogenic organisational culture.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACS	Anti-Corruption Strategy
CDH	Cliff Dekker Hofmeyr
CEO	Chief Executive Officer
CPI	Corruption Perceptions Index
DPSA	Department of Public Service and Administration
GCR	Gauteng City Region
GDP	gross domestic product
GEAC	Gauteng Ethics Advisory Council
GPG	Gauteng Provincial Government
IMU	Integrity Management Unit
MACC	Minimum Anti-Corruption Capacity
NACH	National Anti-Corruption Hotline
NDP	National Development Plan
NPC	National Planning Commission
PAHA	Protection against Harassment Act
ODAC	Open Democracy Advice Centre
OECD	Organisation for Economic Co-operation and Development
PDA	Protected Disclosures Act
PDAA	Protected Disclosures Amendment Act
PPLAAF	Platform to Protect Whistle-blowers in South Africa
PRASA	Passenger Rail Agency of South Africa

RDP	Reconstruction and Development Project
SAA	South African Airways
SADC	Southern African Development Community
SASSA	South African Social Security Agency
SDGs	Sustainable Development Goals
SMS	Senior Management Services
SOE	state-owned entity
UDTW	Universal Dignity Theory of Whistle-Blowing
UN	United Nations

CHAPTER ONE

ORIENTATION, BACKGROUND AND SCOPE OF STUDY

1.1   INTRODUCTION

Ethics plays a vital role in the effective functionality of the public sector of any country as the sector is responsible for providing services to citizens. The South African Constitution (hereafter referred to as the Constitution) highlights the importance of ethics and ethical conduct in its public sector in Chapter 10 stating that "a high standard of professional ethics must be promoted and maintained" (Republic of South Africa 1996). Ethical behaviour is paramount to the promotion of good governance and a lack of ethics is detrimental to the state of the public sector. Corruption not only undermines the development of a country, but also profits only a few corrupt individuals (Manyaka & Nkuna 2014:1572). This continues to be a challenge in the South African public sector. In the efforts to improve detection of unethical behaviour, legislators have attempted to cement ethics in the sector by implementing whistle-blowing and whistle-blower protection. Additionally, measures such as the implementation of the National Anti-corruption Hotline for whistle-blowers to make disclosures, as well as provincial anti-corruption strategies (in the Gauteng Province for example) have been established. Notwithstanding the existence of these policies, the combating of corruption and moreover, the normalising of reporting wrongdoing in the South African public sector, remains a challenge.

Whistle-blowing is important in combating corruption in that it is "an early warning system to avert possible risks to the organisation" (Corruption Watch 2015:2). It allows the relevant authorities to take the necessary corrective measures prior to, or subsequent to, a corrupt activity taking place. However, the purpose of whistle-blowing has not been fully realised in the South African public sector due to corruption being ingrained in the sector's organisational culture. Public servants fear reporting wrongdoing committed by their superiors and colleagues as it is perceived as disloyal or traitorous to the organisation. The organisational culture of South Africa's public sector is not conducive to whistle-blowing as it is not viewed as a normal or acceptable anti-corruption mechanism, thus characterising the culture as "whistlegenic".

Hunt (1998) coined the terms 'whistlegenic' and 'ethogenic' to differentiate between organisational cultures in the context of whistle-blowing, the latter being a culture in which whistle-blowing is entrenched in the systems of an organisation. An ethogenic organisational culture is attainable, but requires transformative action to achieve. This highlights the relevance of the current study.

The primary aim of this study is to explore how the organisational culture of South Africa's public sector can be transformed into one in which whistle-blowing is not frowned upon, but is an intrinsic tool of the public sector that is fully harnessed in order to enhance ethical behaviour and assist in eradicating corruption. This will be done taking into cognisance the perceptions held on whistle-blowing within the context of the systemically corrupt organisational culture currently prevalent in the country's public sector. The study will also provide an analysis of the role of the established whistle-blowing policy, the Protected Disclosures Act 26 of 2000 together with the Constitution (1996) and the National Development Plan (NDP) and their effectiveness in institutionalising whistle-blowing. An investigation of the systemic challenges experienced by public sector employees, that hinder reporting on wrongdoing, will also be made in order to achieve a holistic view of the current state of whistle-blowing in the public sector.

The research objectives of this study will be achieved by examining literature on whistle-blowing and organisational culture. The Gauteng Province will be used as a case study with the various provincial departments informing the relevant research questions. The study will also look at the anti-corruption strategies of the province and the whistle-blowing organisational culture in the province to determine the achievability of an ethogenic organisational culture.

1.2   LITERATURE REVIEW

South African legislation, at national and provincial level, highlights the importance of ethical behaviour in the country's public sector, in all branches and spheres of government. Regrettably, the existence of this legislation does not guarantee adherence to the stipulated requirements by public servants. This is visible through reports such as the Corruption Perception Index (CPI) by Transparency International annually. The research by Transparency International revealed that from 2015 to

2017, South Africa's corruption was on a rise, resulting in the country's rank on the CPI dropping in that period (Transparency International 2017). The public sector is characterised by corruption and unaccountability (Franks 2014:48) and in addition, inefficiency (Fourie & Poggenpoel 2017:170). These are problems that could be curbed to a large extent by whistle-blowing. In a sector where corruption is embedded in the system, some employees within the organisations are likely to be aware of unethical conduct in its different manifestations. Therefore, the entrenchment of whistle-blowing in the public sector will bring much needed transformation and enhance accountability, transparency, integrity and ethics. The focus of this study will be on the organisational culture of the South African public sector, particularly the transformative measures which could be implemented in order for whistle-blowing to become ingrained in the systems and functions of the public sector.

As such, this section will provide literature on organisational culture discussing its characteristics and its key aspects. Subsequently, the organisational culture of the South African public sector will be discussed. The section also provides literature on whistle-blowing in the public sector and the perceptions concerning making disclosures. The role of whistle-blower legislation in the public sector as found by other scholars will be explained and thereafter the linkages between organisational culture and whistle-blowing, as well as the requisites of a culture promoting whistle-blowing, will be presented.

1.2.1 Organisational culture

According to Robbins and Judge (2011:544), organisational culture is that which differentiates one organisation from another. It also refers to the values and behaviours that are shared within that organisation. Organisational culture

> ... "conveys a sense of identity to employees, provides unwritten and often unspoken guidelines for how to get on in the organisation, and it helps to stabilise the social system that they experience" (Cameron & Quinn 2011:19).

Organisational culture communicates organisational values and norms to employees, thus influencing employee behaviour.

Various scholars maintain that organisational culture has approximately seven characteristics. Robbins and Judge (2011:544) outline ten characteristics of organisational culture which are listed in Table 1.1.

Table 1.1: Characteristics of organisational culture

CHARACTERISTIC	DEFINITION
Control	Rules and regulations and how overseeing of employees by a supervisor is carried out
Individual initiative	Degree of autonomy, responsibility or independence an individual has in an organisation
Reward system	Extent to which individual performance and appraisal are used for receipt of a reward
Risk tolerance	Extent to which individuals are urged to be creative, innovative, aggressive and to take risks
Integration	Manner in which the various departments in an organisation function and are urged to function cohesively
Communication patterns	Level to which the bureaucratic structures of an organisation promote or inhibit communication within the organisation
Direction	Extent to which an organisation clearly outlines the various job requirements, expectations and goals
Management support	Extent to which superiors assist, support and communicate with their subordinates
Conflict tolerance	Extent to which individuals are urged to openly voice conflicts and reproof
Identity	Extent to which an employee identifies with, not only their work group, but with the whole entity

Source: Adapted from Robbins and Judge (2011:544)

Considering the characteristics as outlined by Robbins and Judge (2011:544) one can identify conflict tolerance, identity, control, management support and communication

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patterns as characteristics which largely have an effect on employees' attitudes towards whistle-blowing as well as the frequency with which employees report unethical conduct. It is vital for these aspects of organisational culture to be well managed in the context of whistle-blowing.

The culture of an organisation should ideally have a positive effect on and be beneficial in maintaining and enhancing the performance of its members. Any beliefs or values an organisation maintains influence the behaviours of its members. Organisational culture determines employee cohesion and motivates optimum performance of employees giving them a sense of commitment to the organisation (Jaghargh, Ghorbanpanah, Nabavi, Saboordavoodian & Farvardin 2012:30). It thus plays a role in the integration processes of individuals into an organisation (Jaghargh et al. 2012:30).

According to Tanase (2015:850), in an organisation with an effectively structured culture, the team is effective and each employee is held to account while being transparent, having respect for the organisation and other employees. Essentially, the organisational culture of an organisation will play a major role in its success as it could positively influence the productivity of its employees. An organisation's culture is what defines the main values and behaviours of employees in the organisation and is usually inherited. Hence, changing it may prove to be challenging. This study will focus on the organisational culture of the South African public sector, particularly in relation to whistle-blowing.

1.2.1.1 South Africa public sector organisational culture

The prevailing organisational culture in South Africa's public sector is characterised by systemic corruption and it perpetuates itself across the sector (Corruption Watch 2017:30). Corruption is "the abuse of public office for private gain" (World Bank 1997:9-10). Systemic corruption is corruption that is embedded in a system in such a way that it becomes a defining factor of that particular system (Coetzee 2012:10). This is the case with South Africa's public sector (Newham 2014). Certain unacceptable behaviours that are contrary to the law are normalised, for instance receipt of bribes, nepotism, misuse of public funds, misappropriation of tenders, fraud and other forms of maladministration (Persson, Rothstein & Teorell 2013:455). Such behaviours form

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part of the organisational culture in the South African public service and must be eliminated through the application of preventative mechanisms such as whistle-blowing

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Over the last decade, perceptions of corruption in South Africa have steadily increased. In the 2012 Corruption Perceptions Index by Transparency International, South Africa was ranked 69th out of 176 countries in terms of levels of corruption. The 2017 report reflected that corruption was still rampant in South Africa and similarly, the 2018 index ranked South Africa number 71 out of 180 countries, with the country's score dropping from 45 out of 100 in 2016 to 43 out of 100 in 2018 (Transparency International 2018).

Since 2015, the independent watchdog body Corruption Watch has received an increasing number of reports from public sector entities: 2383 reports in 2015, 4391 reports in 2016 and 5334 reports in 2017 (Corruption Watch 2017:31). It is evident that corruption in the South African public sector is a common phenomenon which continues to proliferate across the sector. This is a reflection of the pervasive organisational culture of South Africa's public sector, i.e. systemic corruption.

Corruption in the South African public service manifests at the various entities, levels and spheres of government. A total of 30% of corrupt activities take place in provincial governments, 29% in national government and 22% in local governments (Corruption Watch 2017:32). The number of corruption reports recorded by Corruption Watch in 2017 and 2018 reflected that in addition to the different spheres of government, corruption also occurred in state-owned entities (SOE), e.g. ESKOM, South Africa Social Security Agency (SASSA), Passenger Rail Agency of South Africa (PRASA) and South African Airways (SAA) (Corruption Watch 2017:36-42). Moreover, corruption occurs in government entities such as public schools, police services, the mining sector and the health sector, providing evidence that no public sector organisation is immune to corruption. The difference lies in the extent to which the culture is visible. This necessitates strong, ethical public sector institutions that encourage disclosure of corruption. Considering the high level of corruption in the South African public service, when individuals are employed in a South African public sector organisation, the organisation is likely to be one in which corruption is not an

uncommon phenomenon. In order to maintain loyalty, new employees will in all likelihood observe and adhere to the visible organisational behaviour of the organisation, as that is the behavioural pattern expected of employees of that particular organisation. This is perpetuated by the need for employees to gain a sense of belonging to the organisation as "organisational culture assists the members of the organisation obtain a sense of identity" (Panagiotis, Alexandros & George 2014:416). Consequently, in an organisation in which whistle-blowing is not acceptable behaviour, employees do not report wrongdoing and corruption persists. Such is the case of whistle-blowing in South African public sector organisations.

1.2.2 Whistle-blowing in the public sector

A whistle-blower is an individual who "alerts another regarding scandal, danger, malpractice or corruption" and offences such as safety violations, negligence and wasteful expenditure (Dawson 2000). In the public sector, a whistle-blower is an individual who exposes any unethical conduct that is detrimental to the organisation or is against the public service Code of Conduct and the principles and values of the sector. Whistle-blowing is therefore a valuable instrument in the purging of systemic corruption.

The act of whistle-blowing stands to benefit organisations and the public sector as a whole, and as a result benefits the whole state. As such, whistle-blowing should be viewed as a necessary anti-corruption measure with positive connotations attached to it. Unfortunately, this is not the case. Whistle-blowing in the public sector is perceived as an act of betrayal that is contrary to the loyalty expected of the employee (Isparta 2014:24). This misconception is perpetuated by the systemic corruption in the public sector and has become a widespread perception of whistle-blowing.

The misconception of the act of whistle-blowing is further rooted in the various terms associated with the word. Synonyms for the term 'whistle-blower' include *blabber, informant, rat, tipster, snitch and canary*, all of which have negative connotations (Isparta 2014:25). These labels further perpetuate the negative views of whistle-blowing, with the result that individuals avoid reporting misconduct. In South Africa, the term most associated with whistle-blowing is "*impimpi*", which was used during the apartheid era before 1994 to describe an informant or a spy for the police (Isparta

2014:25). The term thus has a deprecatory connotation and a whistle-blower is seen as a sell-out to the rest of the organisation. The purpose and idea behind the act of whistle-blowing is fruitless due to the term's associations. According to Canny and Pillay (2017), whistle-blowers are a key constituent of the anti-corruption strategy of an organisation as "they are most likely to witness incidences of fraud, corruption and unlawful conduct first-hand, and possess sufficient information to report the incident", but potential whistle-blowers opt to withhold any knowledge of maladministration due to the connotations around the action and the subsequent retaliation.

Employees dread blowing the whistle on their superiors and their colleagues due to fear of retaliation (Malunga 2015:9). Whistle-blowing is usually seen as a treacherous act that has a negative effect on the profitability and reputation of an organisation (Uys 2008:906). Regardless of the channels one uses to blow the whistle on another employee, the whistle-blower is likely to face some form of retaliation (Uys 2008:907).

Retaliation can occur in a variety of ways in organisations. According to Uys (2008:907), after a disclosure has been made, management can give the whistle-blower the impression that the matter is under investigation, when in fact there is no action being taken to address the issue. Additionally, the whistle-blower may become isolated within the organisation as he or she is avoided by superiors and colleagues, becoming marginalised in the organisation (Uys 2008:907). Consequently, other potential whistle-blowers avoid reporting wrongdoing when they witness the experiences of these whistle-blowers.

The whistle-blower may also experience 'stone-walling', where he/she submits letters of complaint which do not receive a response (Uys 2008:909). In some cases, the individual's employment may be terminated. Superiors may carry out processes that will justify the termination, for instance producing dismal performance reviews on the employee, suspension, blacklisting, transfer, individual harassment and character obliteration (Hunt 1995:155). Additionally, the whistle-blower may be accused of disloyalty, blowing the whistle for ulterior motives such as personal gain, lose respect and association with other colleagues and may be subjected to accusations of insubordination (Uys 2008:908). All of these forms of retaliation aim to bring the

whistle-blower's character into disrepute, putting off the possibility of any future disclosures.

The Deputy Public Protector's Report of 2015 (Malunga 2015) provides various examples of individuals in the South African public sector who suffered victimisation upon blowing the whistle on malfeasances they had observed. Some of the individuals were dismissed from their employment, some were victimised in prison, others were intimidated in prison and in the most extreme cases, individuals were murdered for acting upon what the very law of the land and the Code of Conduct of the Public Service encourages any public servant to do (Malunga 2015:13).

Therefore, whistle-blowing is ultimately a matter of life and death as a whistle-blower risks his/her own reputation and personal life in an attempt to carry out his/her duty to the public and to the organisation (Malunga 2015:14). The subsequent results of blowing the whistle on another employee thereby lead to most potential whistle-blowers opting to withhold any knowledge of unethical behaviour rather than reporting it (Malunga 2015:14). Consequently, whistle-blowing does not occur as often as would be expected in a country festering with corruption. The retaliation that whistle-blowers further experience illuminates the systemic corruption that is entrenched in South Africa's public sector institutions.

1.2.2.1   *Whistle-blowing policies and legislation in South Africa*
Whistle-blowing and whistle-blower policies in South Africa are "in a state of flux" (Martin 2010:19). The Department of Public Service and Administration (DPSA) observed that there is an increase in anti-corruption strategies across South Africa's public sector departments but very little compliance (Naidoo 2017:74). According to the DPSA report (in Naidoo 2017:74), 57% of 85 provincial and national government departments had anti-corruption units while only 30% had whistle-blowing mechanisms. This conveys the fact that in 2017, 70% of departments did not have whistle-blowing mechanisms, reflecting an insufficiency in disclosure mechanisms, especially taking into cognisance the corruption statistics provided previously (section 1.2.1.2).

Several pieces of legislation, e.g. the Constitution of South Africa (1996) and the NDP underpin the necessity of whistle-blowing in the public sector through emphasis of the principles that govern public administration. The DPSA issued a document titled "Guidelines for implementing the Minimum Anti-Corruption Capacity Requirements in Departments and Organisational Components in the Public Service" (MACC) in 2006 (DPSA 2006). The document stipulates the "minimum level of anti-corruption capacity" across the country's public service, indicating a requirement for all entities that form the South African public service to have anti-corruption strategies in place (DPSA 2006:10). Whistle-blowing thus forms an important aspect of corruption detection to mitigate the reported wrongdoing, provided the appropriate internal policies and procedures to follow are in place.

In addition, the Code of Conduct for the South African Public Service outlines the need for public sector employees to report any form of maladministration encountered in the workplace using the relevant and appropriate channels (Public Service Commission 1999). The Protected Disclosures Act (PDA) was then established to serve as the guiding legislation specifically regarding whistle-blowing procedures and protections. Prior to the passing of the Protected Disclosures Act 26 of 2000 (which was amended in 2017 to provide for some shortcomings within the Act), South African legislation did not provide for procedures regarding how employees may disclose any act or suspicion of misconduct without fear of not maintaining anonymity (Canny & Pillay 2017). The Act was then promulgated to serve as a framework that allows disclosure of unethical conduct by employees in both the public and private sectors, and provides for the protection of their identities (Canny & Pillay 2017). The realisation of the need to amend the Act, although necessary, emphasises the increasing concern for the perpetuation of whistle-blower retaliation, thus reflecting the diminishing embeddedness of whistle-blowing in the public sector.

Whistle-blowing policies, or rather the need for these policies, exist at all levels of government, although it is the duty of management of the various public sector entities to take the necessary steps to ensure their implementation. It is the implementation wherein the challenges arise. This lack of, or poor, implementation coupled with the stigma surrounding a duty that ought to be ingrained in any public service entity motivates the need for this study. It is necessary for whistle-blowing to become

institutionalised, not only through policies that may or may not be adhered to, but through a paradigm shift in organisational culture.

1.2.3 Organisational culture promoting whistle-blowing

In order for whistle-blowing to be practised effectively and yield results, it must be encouraged by the organisation. Corruption in the public sector is detrimental to public sector organisations, as well as to the citizens served by these appointed public servants. A lack of whistle-blowing can thus be damaging to the organisation (Dorasamy 2012:505). As alluded to by Slovin (2006:46), whistle-blowing is a more effective mechanism to expose wrongdoing in comparison to external auditing for example. Whistle-blowing provides "hard facts", for example the misdemeanour and the perpetrator, and effectively detects wrongdoing allowing mitigation upon exposure.

According to Dorasamy (2012:505), in South Africa corruption is a "common and routine element of the functioning of administrative systems" and as a result, employees avoid reporting misconduct from fear of retaliation. This situation also warrants the proposed research as there is a need to examine some of the functional challenges in organisational culture that stifle whistle-blowing.

According to Werner (in Dorasamy 2012:506), an organisation is a "social entity" influencing and motivating the behavioural patterns of employees, therefore the culture of the organisation must demonstrate the organisational values, particularly if the organisation values and supports whistle-blowing. Chen, Sawyers and Williams (1997:855) posit that organisations desiring to reduce unethical behaviour and promote ethical behaviour must focus on the organisation's culture. This is true for promoting and institutionalising whistle-blowing. The perception of the organisation's ethical standing is not based on the individual attributes of its employees but more on the features of the organisational culture (Chen et al. 1997:855). These attributes of the organisation's culture, reflected in behaviour, must be aligned with the values provided in the organisation's policies. A study conducted by Pillay, Dorasamy and Vedran (2012:2540) concluded that employees are more likely to blow the whistle on misconduct where it is encouraged, if it is apparent that the organisation abides by the stipulated regulations and shows concern for the well-being of employees.

Bhasin (2010:1965) maintains that the reinforcement of positive values must be reflected in routine practices. Dorasamy (2012:506) adds that employees must frequently be made aware of whistle-blowing as evidence that ethical behaviour is a priority for the organisation. The prevailing organisational culture must be one which is conducive to the reporting of wrongdoing as employees are usually the first to observe or become aware of unethical conduct. Whistle-blowing requires commitment from the organisation and "a culture supporting whistle-blowing should be shared and 'lived' throughout the organization" (Dorasamy 2012:506).

The 'Growing Gauteng Together 2030' developed by the Premier of Gauteng, David Makhura, acknowledges the existence of corruption in the province by stating corruption as one of the challenges hampering service delivery in the province (Gauteng Provincial Government 2019:40). This is also evident in the province's Anti-Corruption Strategy (2015:3) noting that corruption in Gauteng manifests most often in the form of bribery and fraud, misuse of government funds, irregularities in procurement and fraud in Reconstruction and Development Programme (RDP) (government subsidised) housing. However, it is very apparent that legislation in the province reflects a high level of commitment to anti-corruption and ethical behaviour. The Anti-Corruption Strategy highlights the importance of transforming the public sector and combating corruption by increasing integrity and combating corruption. This will be achieved through enhancing prevention, detection, investigation and resolution. Additionally, the strategy reflects commitment to promoting effective whistle-blowing procedures to curb fraud and corruption highlighting the importance of whistle-blowing policies. Similarly, the province's Integrity Management Framework (2015:30) states that the organisations within the province "must ensure that there are established mechanisms or channels for reporting integrity violations by employees and stakeholders". This is evidence of efforts to promote whistle-blowing.

Efforts to encourage whistle-blowing must be seen in the culture of an organisation. According to Shahinpoor and Matt (2007:39), an organisation with a culture that promotes whistle-blowing:

- Recognises each individual's dignity
- Humanises individuals

- Prioritises promoting the 'common good' to achieve what is outlined in the organisation's mission statement
- Establishes a learning environment which highlights the value of loyalty, competency and constructive criticism
- Ensures that employees are aware that they have the right to act freely, voice their concerns and be taken seriously.

In addition to these, Pillay, Dorasamy and Vedran (2012) found that organisations in which whistle-blowing is a priority keep the whistle-blower informed on the progress of the reported case, provide the whistle-blower with a comprehensive explanation of the investigative procedures and share information concerning why some cases are investigated while others are dismissed. This fosters transparency within the organisation.

In the case of Gauteng, the Gauteng City Region (GCR) Anti-corruption Strategy (2015:36) provides the following as requisites for organisations to promote whistle-blowing:
- Establishing a whistle-blowing framework outlining the whistle-blowing procedures for individuals as well as how reported matters will be addressed and a system in adherence with the whistle-blowing framework including assignment of the onus of receipt and coordination of reports and follow-ups;
- Raising awareness and conducting whistle-blower training;
- Promoting a culture of whistle-blowing amongst citizens and employees;
- Developing a framework for implementing the Protected Disclosures Act, specifying the differences between witness protection and whistle-blowing;
- Working towards improving the witness protection system, outlining how the system functions.

Additionally, the province promulgated a whistle-blowing policy which exists to:
a) "highlight the various channels available to employees to raise concerns and receive feedback on matters reported and any action taken by management in addressing the matters reported, and
b) reassure employees that they will be protected from reprisals or victimisation for disclosures made in good faith and this is in line with the Protected Disclosures Act."

Taking into consideration the above-mentioned purposes of the Gauteng Whistle-blowing Policy as well as the requisites for whistle-blowing as stipulated in the province's Anti-Corruption Strategy, it is evident that the province makes provisions which are well-aligned to the attributes of an organisational culture promoting whistle-blowing as proposed by Shahinpoor and Matt (2007) as well as Pillay et al. (2012).

One can undoubtedly appreciate that the Gauteng Province shows great commitment to promoting whistle-blowing on a policy level. However, as elucidated by Dorasamy (2012:506), "while legislation is an imperative, it should not be seen as a panacea in and of itself". Berry (2004) developed a compliance framework titled 'Organisational Culture: A Framework and Strategies for Facilitating Employee Whistle-blowing'. In this framework Berry provides seven dimensions of organisational culture that have an impact on the manner in which employees reflect on the process that leads to them making a disclosure. Berry lists vigilance, engagement, credibility, empowerment, courage, accountability and options as necessary organisational culture dimensions which influence whistle-blowing. These dimensions will be further discussed in Chapter Six and will be used as the framework of analysis of the research results.

Ultimately, the institutionalising of whistle-blowing can be achieved only through action. This provides justification for this study, as exploring the institutionalisation of whistle-blowing in the GPG departments will illuminate and bring understanding of the aspect of 'action' (from an organisational culture perspective) and how it affects whistle-blowing.

1.3   MOTIVATION FOR THE RESEARCH

South Africa's public sector has been associated with endemic corruption that was inherited from the pre-1994 government and continues to proliferate rampantly across the public sector. There have been several cases of public sector whistle-blowers that have experienced various forms of reprisal for reporting misconduct, despite this being part of the responsibility of a public servant. Whistle-blowers in the public sector have become and continue to be victims of an action that is driven by positive intentions (Uys & Smit 2016:3).

Whistle-blowing is an indispensable weapon not only in reducing corruption, but also in promoting ethical behaviour when the ramifications of unethical behaviour are visible. Although South Africa's public sector is one that encourages whistle-blowing legislation, unfortunately this is not true in practice. The organisational culture, which is reflected in organisational behaviour and values does not align with policy stipulations. This is aggravated by the fact that organisational culture, and in the case of South Africa's public service, systemic corruption, are both built on collective action (Persson, Rothstein & Teorell 2013:450). Alford (2002:131) explains this phenomenon by arguing that within an organisation, the collective aim is to push the whistle-blower "to the margins: not just of the organisation, but of society". If a whistle-blower faces such consequences, then naturally, there is almost an unstated 'expectation' on each employee to treat the *impimpi* as a traitor to the organisation as a whole. Subsequently, this means that with each whistle-blower that faces retaliation, there is a high probability that any other potential whistle-blower will choose not to report malpractices for fear of receiving treatment similar to that of other whistle-blowers. In effect, retaliation continues to inhibit the success and functionality of whistle-blowing.

Whistle-blowing should be a fruitful mechanism, particularly in the public sector, as the prevailing organisational culture determines the success of the public sector's outputs. The problems surrounding whistle-blowing are perpetuating notwithstanding the existence of policies on the need for, and the protection of whistle-blowers. This is one of the factors that facilitate the need for this study. It is evident that much work must be done to recondition the misconception and the state of whistle-blowing and the point of departure is research such as this study, which will holistically explore the institutionalisation of whistle-blowing in order to achieve an ethogenic organisational culture.

Recent research on whistle-blowing in South Africa has been focused largely on the protection, 'punishment' and mistreatment of whistle-blowers (Uys & Smit 2016:2). Much literature on whistle-blowing has primarily focused on the analysis of whistle-blower protection policy as well as retaliation and whistle-blower perceptions. There is not much empirical research examining whistle-blowing in the South African public sector within the context of organisational culture. The study will provide an understanding of not only employee perceptions on making disclosures, but also

further investigate the functioning of the system and culture in the public sector to determine how whistle-blowing could be institutionalised.

For this study, Gauteng Province was selected as the area of study. Gauteng Province is the economic hub of South Africa and also, regrettably, a hub of corruption in the public sector. With the largest provincial population in South Africa of 15.5 million (South African Institute of Race Relations (SAIRR) 2020:3), Gauteng is a key province with a public sector serving about a quarter of the country's total population. Corruption in the province thus affects a large number of citizens and significantly impacts the country's economy. As a result, making disclosures of any wrongdoing in the province is a necessity. It is paramount that a leading province such as Gauteng maintains an ethical and ethogenic organisational culture in which whistle-blowing is normalised. Hence the research participants selected are public officials within the Gauteng Provincial Government (GPG).

There is a need to identify practical solutions that can be implemented in order to make whistle-blowing become an instilled part of the Gauteng Province public sector and of South Africa as a whole. As alluded to by Diamond (2007:119), changing an organisational culture of systemic corruption requires a "revolutionary change". Studies such as this are vital in taking steps to end the cycle of systemic corruption and transform South Africa's public sector from whistlegenic to ethogenic.

1.4 PROBLEM STATEMENT

The primary objective of this study is to explore the institutionalising of whistle-blowing in the South African public sector. As highlighted, whistle-blowing is not a normalised mechanism despite the existence of policies that encourage reporting corrupt activities. For this reason, public sector employees refrain from making disclosures as

> … "it seems that any whistle blower in South Africa can expect a negative organisational response to his or her action. If potential whistle-blowers perceive whistle-blowing to be an act with real risks, given the known outcome of many whistle-blowing cases, then they may be discouraged and this form of correctional action reduced" (Holtzhausen 2007:13).

Fear deters employees from whistle-blowing resulting in very few disclosures being made. Some of the reasons why individuals choose not to take action in reporting unethical conduct, according Holtzhausen (2007:12), are:

- The official may face an ethical dilemma if the reported impropriety is justified or is not seen as incorrect.
- Employees may feel that the organisation will not take any action to address the disclosure made.
- The employee may fear professional or personal retaliation.
- The employee may not be aware of the channels and procedures for disclosure.

It is thus important to examine organisational culture within the public sector to determine some of the institutional challenges that affect the decision-making process to blow the whistle.

One of the minimum requirements stipulated in the Minimum Anti-Corruption Capacity Requirements is the existence of whistle-blowing mechanisms in the public sector entities of South Africa (DPSA in Isparta 2014:40). In addition to these guidelines, there are various whistle-blowing channels such as the National Anti-Corruption Hotline and in some government departments, internal whistle-blowing vehicles that are precise and provide clear procedures for whistle-blowing and its essentiality (Isparta 2014:40). The problem therein lies in that despite the existence of particular requirements and some legislation concerning whistle-blowing, there is a continued reluctance to report unethical behaviour. As a result, systemic corruption remains the order of the day. This reflects a gap with regards to how whistle-blowing can be institutionalised, going beyond legislation to practical means. Given this problem, the following research questions were formulated:

i. What are the reasons for employees in the South African public sector to fear whistle-blowing and how is whistle-blowing viewed in the public sector?

ii. Have whistle-blowing legislation and policies assisted in the propagation and institutionalisation of whistle-blowing in the South African public sector and in the GPG departments?

iii. What is the prevailing organisational culture concerning whistle-blowing in the GPG departments and what are some of the impediments to the implementation of whistle-blowing?

iv. How can whistle-blowing become ingrained in the South African public sector, in light of the findings at the GPG departments, to make the sector more ethogenic?

1.5 RESEARCH OBJECTIVES

The research objectives refer to "the central thrust of your study" and "the specific issues you wish to examine" (Kumar 2014:262). With respect to the above-mentioned research questions, the objectives of this study are as follows:

i. To explain some of the perceptions concerning whistle-blowing and their linkages to the reasons why employees fear reporting wrongdoing in their organisations;

ii. To determine the effectiveness of whistle-blowing policies, legislation and mechanisms in the institutionalisation of whistle-blowing in the South African public sector as a whole, and particularly, in the Gauteng Province;

iii. To explore the organisational culture regarding whistle-blowing in the GPG departments and examine some of the institutional challenges that are obstacles to whistle-blowing;

iv. To determine some of the ways in which organisational culture in the South African public sector, particularly in the GPG departments, can be transformed to develop an ethogenic organisational culture.

Subsequent to fulfilling these objectives, recommendations and solutions on how whistle-blowing can be institutionalised in the Gauteng Province will be provided. Each of the chapters in the study will address a research objective or provide a foundation which will serve to provide background to the study

1.6 RESEARCH METHODOLOGY

According to Polit and Hungler (2004:233), research methodology refers to the method a researcher uses to acquire, systematise and analyse data. Welman, Kruger and Mitchell (2005:2) further define research methodology as that which "considers and

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explains the logic behind research methods and techniques". Walliman (2011:7) alludes to these definitions stating that methodologies allow the researcher to find, categorise and examine information from research and thereafter, make conclusions. Research methodology thereby explains the processes that the researcher will apply to the study and outlines how the researcher intends to conduct the study. It provides the researcher with direction leading him/her to particular conclusions in the findings. The research methodology utilised by the researcher may have an effect on the validity of the conclusions of the research, therefore it is of paramount importance that the researcher applies the most appropriate methodology that will yield valid, reliable and rigorous results (Walliman 2011:7). There are two main methodologies that the researcher can employ, i.e. the qualitative and the quantitative approaches.

1.6.1 Qualitative and quantitative research methodologies

The quantitative research approach, according to Kumar (2014:14)

i. Follows a rigid, structured and predetermined set of procedures to explore;

ii. Focuses more on the objectivity and measurability of the relevant variables throughout the research process;

iii. Emphasises validation of results through the use of a relatively large sample;

iv. Highlights the need for reliable and valid conclusions; and

v. Analyses and communicates research findings in a quantitative manner that can be generalised.

Welman et al. (2005:6) summarise quantitative research as the method which limits research and its findings to measurable objectives and observation only. Kumar (2014:14) attaches the following characteristics to a qualitative research methodology. It does the following:

i. Makes use of a flexible, open perspective that is not too limited structurally in enquiry;

ii. Pays for focus on quality of information and diversity rather than quantity;

iii. "Emphasises the description and narration of feelings, perceptions and experiences rather than their measurement"; and

iv. Outlines findings acquired through narration and description of the respective research topic, as opposed to analysis of figures. There is very little use of generalisation.

This means that a qualitative research approach seeks detail and narrative in the data collection process. This study will make use of the qualitative research approach in order to acquire the detail that will provide a broader perspective in informing the research questions. The researcher will not need to extensively generalise as the methodology allows for questions to be posed that yield specific details.

1.6.1.1 Advantages of qualitative research methods

Hancock (2002:3) postulates that the characteristics of both quantitative and qualitative research can be perceived as disadvantages. Qualitative research follows a flexible, non-structured and open approach (Kumar 2014:14). Such an approach enables the researcher to acquire details, particularly in research that aims to have a broader understanding of the target population's experiences or perceptions concerning a particular research study (Brikci & Green 2007:4). Due to the details provided through the qualitative research approach, the researcher does not generalise the findings, thus providing specificity of research findings.

1.6.1.2 Disadvantages of qualitative research

In the quest to attain detailed and descriptive results, the researcher applying a qualitative research approach is usually unable to conduct the research using a large sample size (Brikci & Green 2007:2). As such, the findings of the research are difficult to generalise and may not be representative of the population being studied (Kumar 2014:15). In many cases where a qualitative research methodology is used "the findings lack rigour, bringing the validity of the conclusions drawn into question" (Brikci & Green 2007:2).

1.6.1.3 Advantages of quantitative research

Quantitative research has several advantages. It is advantageous in that it makes use of a large sample; therefore, the results are more representative of the population being studied (Rahman 2017:105). This means that the information collected from the sample is more generalisable as it represents a large number of the population.

1.6.1.4 Disadvantages of quantitative research

According to Rahman (2017:106), one of the disadvantages of quantitative research is that it does not provide full or descriptive explanations of the phenomenon displayed by the results and the underlying reasons given as to why individuals hold particular views. Essentially, quantitative research can answer the question 'what?' and not 'how?' or 'why?' Schoefield (2007:182) also adds that quantitative research has a drawback because it provides only a 'snapshot' of the phenomenon being studied at a particular point in time. This means that the results attained reflect the position or state of an organisation, which may not necessarily be true for that organisation at every point in time.

The South African public sector, as alluded to in the foundational study, is characterised by an organisational culture of systemic corruption. Various government entities have whistle-blowing mechanisms in place but their success is far from being realised because potential whistle-blowers refrain from reporting maladministration from fear of retaliation and being engulfed in a system, they, in many cases, found in existence in a particular organisation. The perceptions that individuals hold of whistle-blowing in the public sector, from previous and on-going research, show that whistle-blowing, despite being a mandate for all public sector entities is not yet a significant part of public sector organisational culture in practice. The perceptions of whistle-blowing need to be provided using a qualitative research approach as it provides detailed perceptions and misperceptions of whistle-blowing. This is also true for the analysis of whistle-blowing policies as well as the challenges faced in implementing whistle-blowing. Additionally, the main aim of this study is to explore possible ways by which to make whistle-blowing an embedded pillar of the organisational culture in the South African public service. For a pragmatic and substantial solution to issues surrounding perception, a qualitative research method, given its characteristics, would be best suited for this design. The research instruments to be applied would also justify this approach.

1.6.2 Research Instrument

A research instrument is "anything that becomes a means of collecting information for your study" (Kumar 2014:381). Qualitative research constitutes different methods of data collection, e.g. ethnographic studies, participant observation, focus groups,

structured and unstructured interviews, grounded theory and analysis of documents (Creswell 2013:105). These research instruments can be classified as either primary or secondary sources of information. Kumar (2014:196) states that secondary data collection is when

> … "your data has already been collected by someone else or already exists as part of the routine record-keeping by an organisation and what you need to do is extract the required information for the purpose of your study."

Kumar further gives examples of secondary sources, e.g. government publications, media sources, written personal records and previous research.

Government and quasi-government departments and organisations are consistently collecting data on different areas of interest for use by civil society or the public at large (Kumar 2014:196). As such, legislation on whistle-blowing such as the Protected Disclosures Act (2000) must be analysed in a qualitative manner, and therefore form part of the research instrument. Hence, the second research objective will be carried out through document analysis.

According to Gaskell and Martin (2000:12), some of the advantages of document or text analysis include that it is able to carry a great number of data, is public and systematic, "offers a set of mature and well-documented procedures and the researcher determines the emphasis once the data is gathered". In this case, some of the documents under analysis are government-published and the media sources are open sources that are easily accessible and are therefore available to the general public. The researcher will also be able to determine and select the sources that are relevant to the study and place emphasis on the issues that will bring the greatest clarity in addressing the research problem. The relevant government publications, media sources and literature that address the topic will be applied to the research process.

Some of the limitations to the research instrument of document analysis, and secondary sources generally, given by Kumar (2014:197) include data availability, bias of the writers of the sources and the reliability and validity of the sources. To these, Pierce (2008:3) adds bias of the researcher in selecting sources and issues in identifying the texts which results in selection of representative yet random documents.

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In this instance, the researcher will make use of the most reliable, valid and credible sources found.

1.6.2.1 Case study

The case study approach focuses on a specific individual, programme, policy, institution, agency or group of individuals. The case study serves as a "comprehensive research strategy" providing detailed information on the selected area of study (Yin 2002:14). Yin (2014:16) defines a case study as

> ... "an empirical inquiry that investigates a contemporary phenomenon (the case) in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident."

This means that the researcher assumes that gaining comprehension of the case requires zooming in on contextual conditions specific to that particular case (Yin 2014:16).

Stake (1995:2) provides four characteristics of qualitative case studies. Case studies are "empirical", "holistic", "interpretive" and "emphatic". These characteristics essentially provide for case studies providing in-depth understanding of the interconnectedness of the phenomenon under study within the context in which it exists (Yazan 2015:139). The findings in case study research are based on the observations made by the researcher in the field. In addition, Merriam (1998:27) emphasises the following attributes of case studies:

- Particularistic- as mentioned previously, focuses on a specific bounded phenomenon, programme, individual, event or situation
- Descriptive- produces a "rich, thick" description of the phenomenon or area of study
- Heuristic- provides the reader with well-informed and well-detailed findings of the phenomenon under research.

Based on this understanding, the current study will focus on the GPG departments as the area under study and organisational culture concerning whistle-blowing as the phenomenon under study. Welman and Kruger (2001:183) maintain that although a case study focuses on one particular individual, group or institution, there is a need for the case to be representative of a particular population. The provincial departments in

South Africa face similar challenges with regards to corruption and implementation, albeit to differing extents (Corruption Watch 2017:32; Naidoo 2017:74). Moreover, the provincial government departments are guided by the same national legislative frameworks and guidelines. Although one cannot generalise the findings to represent all the provinces, those other than Gauteng may face similar challenges and therefore the recommendations might be applicable and adaptable.

Yin (2009:2) also posits that a case study is relevant when the research intends to examine questions of "how" and "why". As such, a case study approach was relevant for this study to explore the institutionalising of whistle-blowing because to understand this phenomenon it is important to know 'why' employees do not report wrongdoing, which brings a greater comprehension of the organisational culture. In addition, having understood the challenges in the organisational culture with regards to whistle-blowing, one can then propose 'how' whistle-blowing can become ingrained in the culture of provincial departments.

As with other research approaches, case studies have some advantages and shortcomings as well. According to McNabb (2004:351), case studies are advantageous for researchers with limited resources as case studies allow them to focus on a few cases of study, e.g. one or two institutions or their place of employment. Case studies also provide a detailed reality of the case as well as the phenomenon under study (Adelman, Jenkins & Kemmis 1980:59). To this, these authors add that well-researched case studies are useful for future researchers as they form part of the database of information on the given topic.

Case studies also have shortcomings. One of the shortcomings provided by Yin (2014:21) is that of generalisation; this is coupled with a lack of comparative advantage by using case studies. Despite provincial departments having similar structures or policies, one cannot assume that the findings in one province can be applied to other provinces. Therefore, it is important for similar research to be carried out in other provinces. Another challenge highlighted by Yin (2014:21) is that conducting case study research may take a long period of time. However, Mouton (2006:104) encourages researchers, notwithstanding the above-mentioned limitations, to clearly outline the data collection methods to be employed as well as to explain the selection

process of the participants chosen. In the following section the data collection instruments will be explained.

1.6.2.3 Focus groups

The researcher conducted a focus group interview with the 14 ethics officers for the GPG departments. According to Anderson (1990:241), a focus group is "a group comprised of individuals with certain characteristics who focus discussions on a given topic or issue". A focus group allows a homogenous group of individuals to discuss various questions posed by the interviewer (Dilshad & Latif 2013:191). For this research, a focus group was beneficial in allowing the ethics officers to collectively reflect on the whistle-blowing perspectives, mechanisms and policies and culture in their various departments. It also provided a platform for the ethics officers to engage with the shared experiences and challenges in their respective departments and thereafter establish how whistle-blowing could be institutionalised within the functions of the institution as a whole.

1.6.2.4 Advantages and disadvantages of interviews

Some of the advantages of interviews are that interviews provide deeper meaning, significance and understanding of certain subject matter that cannot be provided, or would be difficult to acquire through quantitative methods (Edwards & Holland 2013:90). They also make the functionality of certain structures, institutions and procedures more comprehensive (Edwards & Holland 2013:89). Conversely, some of the challenges of using interviews as a method of data collection are that the interview instrument is perceived to be "anecdotal, illustrative, descriptive, lacks rigour, is unsystematic, biased, impossible to replicate and not generalisable" (Edwards & Holland 2013:91). However, Edwards and Holland (2013:91) hold the opinion that critics of the qualitative research interview do not fully comprehend this method and what it can achieve for the researcher.

1.6.2.5 Target population

Sampling is used when the researcher cannot study the entire population being studied. Given the research questions and objectives, this study aims to attain information on the South African public sector as a whole in terms of whistle-blowing, its mechanisms, policies and institutionalisation. However, it is not possible to study

each public sector entity except through the general overarching policies and principles concerning ethics and whistle-blowing.

The Gauteng Province has prescribed anti-corruption strategies that could be a benchmark for other public sector entities across South Africa. The provincial office adopted a three-year Whistle-blowing Policy from 2016-2019 which stemmed from the province's 2009 Anti-Corruption Strategy. It is important to note that other provinces in South Africa, e.g. Mpumalanga, Limpopo and Province have whistle-blowing mechanisms in place, particularly hotlines. In 2017 the Gauteng Province's Premier, David Makhura, also implemented the Ethics and Anti-Corruption Advisory Council (Molele 2017). The existence of this body is a step further in fighting corruption and enhancing whistle-blowing. For these reasons, the GPG will be the focus for the purpose of this study as a case study with regards to whistle-blower policies, whistle-blowing organisational culture and any further strides that could be taken to institutionalise whistle-blowing. The informants for this research as mentioned are the ethics officers of the provincial departments as well as the Integrity Management Unit (IMU).

1.6.2.6 Sampling method

There are various sampling methods used to select participants for a study, the main techniques being random sampling and non-random sampling. Non-random sampling was appropriate for this research considering the variables under study. According to Singh (2015:14), when selecting a population in which the characteristics are known, the researcher may then "stratify the population according to these known properties and select sampling units from each stratum on the basis of judgment". Provided the nature of the phenomenon under study, in order to attain accurate and applicable information, it was important to ensure that the selected participants would accurately and adequately inform the study. Additionally, a random sample may have proved to be laborious or found less informed participants. As such, purposive sampling was used on the basis of the 'known properties' of the respondents. Tongco (2007:147) defines purposive sampling as "the deliberate choice of an informant due to the qualities the informant possesses". It is also known as judgement sampling (Tongco 2007:147). Essentially, the researcher selects a sample upon establishing the question to be answered and thereafter selects individuals he/she believes that are

most knowledgeable in the subject matter and who are willing to participate in the research (Tongco 2007:147).

For this study, the employees forming the GPG IMU and the departmental ethics officers are most knowledgeable with regards to the application of whistle-blowing in the province. They are aware of the specific processes of whistle-blowing in the departments, e.g. the number of disclosures made to the organisation, the fears that employees may face when making disclosures, the functional internal challenges on applying the various policies and as a result, how these challenges could be mitigated in order to create an ethogenic culture. The specific roles and responsibilities of the participants will be presented in Chapter Four.

1.6.2.7 Ethical implications

According to Resnik (2015), ethics is defined as "norms for conduct that distinguish between acceptable and unacceptable behaviour". There are many ethical implications that come with conducting research. Research ethics covers matters in research, e.g. openness, confidentiality, objectivity, carefulness, integrity, respect for intellectual property, responsible publication, legality and competence (Resnik 2015). The researcher must conduct research in a manner that can be justified and is morally acceptable.

For this research, there may be ethical implications with the use of secondary sources and interviews. In order to avoid any ethical dilemmas with the use of secondary sources, the researcher ensured that all use of the stated documents was acknowledged in order to avoid plagiarism in the research as required by the guidelines of the University of Pretoria. With regards to the interview process, the Director General of the Gauteng Office of the Premier, as well as the research participants from the Integrity Management Unit and ethics officers, received informed consent forms (Annexure C and Annexure D) stipulating the objectives of the research and the list of questions to be asked (Annexure A and Annexure B) in the interviews allowing them to make an informed decision on whether or not the selected informants would be willing to contribute to the research given the outlined questions. In addition, the research design was presented to the School of Public Management and Administration's Ethics Committee and the University's Faculty of Economic and

Management Sciences for assessment and ethical approval. The researcher was granted permission to conduct interviews by the Office of the Premier Director-General.

1.6.2.7 Confidentiality and anonymity

The concept of confidentiality is founded on the premise of autonomy and means that any information revealing the identity of respondents collected during a research process will not be disclosed without their permission (BSA in Wiles, Crow, Heath & Charles 2008:417). Confidentiality entails not revealing any information attained from data collection accidentally or on purpose (Wiles et al. 2008:418). Maintaining the identities of informants underpins the concept of anonymity. For this study, the identities of the participants remained undisclosed. The researcher did not ask the participants for their names or identify the department from which each respondent was from. The participants were informed that the researcher would not reveal their identities nor would the information gained from the study be used outside of the purposes of this study.

Additionally, in their responses, the participants were discouraged from mentioning the department in which they work. Thus, the exact identities of the respondents remained concealed. The researcher identified the participants solely for the purposes of ensuring that all of the participants responded by means of giving the respondents numbers from 1 to 14. The recordings, transcriptions were used only by the researcher for the purposes of this study. Maintaining anonymity may also allow the respondents to provide more honest responses (Taylor 2009:282). Thus, confidentiality and anonymity were maintained by the researcher and communicated to the respondents.

1.6.2.8 Validity and reliability

According to Le Comple and Goetz (1982:32) validity in research refers to the truthfulness and accuracy of the research findings. Brink (1993:35) maintains that "a valid study should demonstrate what actually exists and a valid instrument or measure should actually measure what it is supposed to measure". In order to ensure or increase the validity of a study, the researcher may take steps such as ensuring that participants are well-informed on the nature of the study (its purpose and the data collection process), building trust with the participants and avoiding researcher bias

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(Brink 1993:36). To ensure validity of this study, the researcher informed the GPG through the Integrity Management Unit of the precise nature of the study as well as the data collection techniques to be employed.

Prior to commencing the focus group, the interviewer reiterated the topic and nature of the study, the institution and degree under study by the researcher, the data collection process and that the research would be potentially published. The researcher also sought and was afforded permission from the respondents to record the interview for transcription purposes and accuracy. The respondents for the e-mail interviews were also informed of this. To avoid researcher bias, the researcher attempted to compile an interview schedule with questions that were not leading in nature, allowing the respondents to share their true opinions and experiences, whether negative or positive. The interview schedule as mentioned previously, was also sent through the Faculty Ethics Committee at the University of Pretoria for approval.

Reliability refers to the repeatability, consistency and stability of a study, coupled with the researcher's accuracy in collating and recording information (Seltiz, Wrightsman & Cook 1976:182). To ensure reliability of this study, the researcher selected a topic of study, research participants and research instrumentsthat would allow another researcher to repeat the study and yield similar results. Additionally, to ensure accurate results, the researcher recorded the focus group interview with the knowledge of the respondents and transcribed the findings. The transcribed responses provided by the respondents were then analysed accordingly.

1.7   CLARIFICATION OF CONCEPTS

Every study conducted has certain terms and concepts that form the foundation of the study and provide meaning to the research topic. These concepts must be defined in the context of the study and the field of public administration and the subject Public Administration. The following terms are important and must be defined for the purpose of this study:

1.7.1 Public Administration, public administration and public management

According to Denhardt and Denhardt (2009:5), public administration is simply "the management of public programs". Fessler and Kettle (2009) define it as the

"translation of politics into the reality citizens see every day". The United Nations Economic and Social Council (2006) further explains it as being mainly "concerned with the organisation of government policies and programmes as well as the behaviour of officials (usually non-elected) formally responsible for their conduct". Public Administration, the discipline, is therefore a study of these activities. It is the study of "the organised, non-political, executive functions of the state" (Pauw & Louw 2014:7).

Public management emerged in the early 1980s (Hughes 1992:286). Hughes maintains that while the focus of public administration is on the translation of policies into action, while public management is more. Public management "also involves organisation to achieve objectives with maximum efficiency, as well as genuine responsibility for results" (Hughes 1992:287). There is a greater focus on output, results and efficiency.

New Public Management emerged focusing more on providing citizens with services they value; providing public managers with more autonomy; providing incentives to employees and organisation for meeting the stipulated performance targets; availing the technological and human resources required for managers to perform optimally; appreciating a competitive environment; and distinguishing between public purposes to be performed by the public sector and those to be performed by the private sector (Sarker 2005:250 & Borins 1995:12)

1.7.2 Organisational culture

Schein's (1983:13) definition providing a holistic view of organisational culture proposes that it is

> … "the pattern of basic assumptions that a given group has invented, discovered or developed in learning to cope with its problems of external adaptation and internal integration, and that have worked well enough to be considered valid and therefore, to be taught to new members as the new way to perceive, think and feel in relation to those problems."

This means that it is the beliefs, values and behaviours that are considered to be the norm defining a particular organisation. An organisational culture therefore differs from one organisation to another, whether it is characterised by positive or negative traits.

In this study, the focus will be on the organisational culture concerning whistle-blowing and its institutionalisation.

1.7.3 Whistle-blowing

One of the main concepts that form the foundation of this study is whistle-blowing. Mbatha (2005:2) defines whistle-blowing as the act of "disclosing information in the public interest". The International Labour Organisation (Banisar 2006:4) defines it as the divulging of knowledge of corrupt, illegitimate, treacherous or any irregular malpractice by a former or current employee in an organisation. The report of wrongdoing may be made internally to senior officials in an institution or externally to ombudsmen, regulatory bodies, elected officials, anti-corruption officials or the media (Banisar 2006:4). Whistle-blowing plays a major role in maintaining accountability and transparency in public sector organisations.

1.7.4 Whistlegenic and ethogenic organisational culture

The primary aim of this study is to find ways in which to transform organisations from being whistlegenic to being ethogenic. Hunt (1998:533) maintains about the former, that "the essential feature of such an organisation might be general arrangements which fail to deter and rectify wrongdoing and fail to encourage ethical values and behaviour". Additionally, such organisations tend to have

> ... "a gamut of internal failures, such as poor communication, low participation in decision making, dissonance in the values held by stakeholders and by the organisation in practice, and low morale. It is possible for such an organisation to maintain a high, if false, public reputation by gagging staff by sustaining a climate of insecurity or fear" (Hunt 1998:534).

To a certain extent, this can be associated with some entities of the South African public sector.

By contrast with the above, an ethogenic organisation is one that will

> ... "try to pre-empt whistle-blowing, thus making conventional whistle-blowing redundant or superfluous. An ethogenic dispensation wants 'an ethical way of doing things' because 'doing the right thing' has become institutionalised as an essential component of the company culture" (Hunt 1998:554).

This is the ideal form of organisation that any public service should aim to attain.

1.7.5 Systemic corruption

Corruption forms the foundation of the problem that this study aims to address. Corruption is the "misuse of public office for private gain" (Balboa & Medalla 2006:3). It includes actions such as "nepotism, bribery, extortion, influence peddling, fraud and embezzlement" (Richter & Burke 2007:81). In the public service of some countries these forms of corruption manifest on rare occasions, but ethical conduct is the norm. With systemic corruption, these acts of corruption are against the law, but in practice, they are acceptable or are the accepted norms and behaviours (Coetzee 2012:10). Corruption is 'entrenched' or 'pervasive' (Coetzee 2012:10). Diamond (2007:119) posits that where there is systemic corruption

> ... "it is the way the system works, and it is deeply embedded in the norms and expectations of political and social life. Reducing it to less destructive levels and keeping it there requires revolutionary change in institutions."

1.8 LIMITATIONS OF STUDY

Kumar (2014:273) defines limitations in research as any issues "that could affect the validity of your conclusions and generalisations" and "structural problems relating to methodological aspects of the study". Some of the limitations encountered in this study are the following.

1.8.1 Scope of study

The study focusedon the GPG departments as the area of study. The different provincial departments in South Africa have varying implementation models with regards to whistle-blowing. Thus, the approach taken by Gauteng, although all provincial policies are founded on national policy, is not necessarily true for all provincial departments. This also means that the findings of this study are not necessarily an overview and reflection of the South African public sector as a whole. The challenges faced by employees of the GPG may not be those experienced by employees in other provincial government departments. It would be advantageous for a comparative study of this nature to be conducted focusing on more provinces. Although there is a limitation in that the findings and subsequently, the recommendations provided are specific to Gauteng Province, they could be adapted to other provincial departments.

1.8.2 Limit in previous research

As highlighted previously, a great amount of the literature on whistle-blowing focuses primarily on the shortcomings of whistle-blower policies in South Africa as well as whistle-blower protection and its lack thereof. There was very little information pertaining to whistle-blowing in relation to organisational culture. Additionally, there is little research on what the concept 'ethogenic' entails outside of Hunt (1998) and Uys and Senekal (2013). Hence this study attempted to gain understanding of organisational culture and institutionalised whistle-blowing (to achieve an ethogenic organisational culture) under the same lens. This was done making use of the existing various contexts of whistle-blowing.

1.8.3 Time constraints

This study was also limited by time constraints resulting from the national lockdown which was in effect at the time the interviews for the study were conducted. Firstly, there was a minor challenge in securing an appropriate time to conduct the focus group interviews as they required a number of working individuals to be in one location at the same time. Additionally, the national lockdown affected the conducting of the chosen research instruments due to the time constraints brought about by the lockdown. This will be further elaborated on in Chapter Five of the study.

1.9 FRAMEWORK OF THE RESEARCH

This study is comprised of seven chapters which all fulfil the stated research objectives provided in Section 1.5.

Chapter One introduces the study and provides the scope and nature of the study. The chapter then gives a literature review of the study, providing a background of the research area. The motivation of the study, its limitations, the research problem/questions and objectives are also outlined in this chapter. Additionally, clarification of the main concepts used in the study, an explanation of the research methodology that will be applied coupled with the research instruments and ethical implications of the study are presented. Chapter One serves as the foundation for this study.

Chapter Two provides a theoretical framework for the study. A discussion of the theories of organisational culture and whistle-blowing which are of relevance to this study is provided. The chapter further conceptualises organisational culture, systemic corruption and whistle-blowing in the field of public administration. Thereafter, ethogenic and whistlegenic organisational cultures are discussed.

Chapter Three encompasses the legislative framework in existence necessitating whistle-blowing procedures and channels and also the protection of whistle-blowers. The chapter will discuss these policies and how effective the policies are in the institutionalisation of whistle-blowing. The shortcomings of South Africa's Whistle-blowing Policy are discussed in line with international standards. Thereafter, examples of South African whistle-blowers are discussed.

Chapter Four consists of a discussion of the selected case, Gauteng Province. In the chapter, the background on the province provides an overview of Gauteng Province as well as the vision, mission and values of the GPG. The chapter also presents the various provincial policies influencing whistle-blowing and briefly discusses the roles of the selected participants. The following chapter, Chapter Five presents a detailed discussion of the research instruments, providing further understanding on their application and how the data collection process was conducted.

Chapter Six presents the data collected from the ethics officers in the focus group interview and the interviews conducted with the IMU. These findings influence a greater part of the research objectives while the method of analysis of the research results will also be presented together with the framework to be used as a basis for analysis. The final chapter, Chapter Seven, brings the study to a conclusion by summarising the chapters of the research as well as summarising the main findings. Thereafter, the chapter provides a list of recommendations that could be applied in the efforts to institutionalise whistle-blowing in GPG departments. Suggestions for future research will also be provided.

1.10   SUMMARY AND CONCLUSION

Ethics is important to the success of any organisation, in particular in the case of service delivery in any country. Subsequently, whistle-blowing plays a critical part in

anti-corruption and plays an important role in promoting ethical behaviour. Ethics and whistle-blowing are inextricably linked. Institutions, particularly in the public sector, must strive to attain an ethogenic organisational culture.

This chapter provided a comprehensive background for the study. An outline of the research was provided by presenting a detailed literature review on the concepts of organisational culture and whistle-blowing, and contextualised the concepts within the South African public sector. The research methodology and instruments employed for the data collection were also outlined together with their advantages and disadvantages. The motivation justifying the research and limitations of the study were presented. The chapter then discussed the key concepts informing the study and finally, the outline of the following chapters was presented. This forms a solid foundation for the subsequent chapters. On this foundation, the following chapter will provide the theoretical framework of the study.

CHAPTER TWO

THEORETICAL FRAMEWORK AND CONCEPTUALISATION OF WHISTLE-BLOWING AND ORGANISATIONAL CULTURE INTO PUBLIC ADMINISTRATION

2.1   INTRODUCTION

Chapter One of this study provided a background and foundation to give an understanding of some of the reasons that necessitate much needed change in the organisational culture of the public sector of South Africa, particularly with regards to whistle-blowing. Chapter Two provides and discusses the theoretical frameworks of organisational culture and whistle-blowing, concepts central to this study. Providing a theoretical framework on organisational culture will provide meaning and understanding to the characterisation of the public sector and how corruption has perpetuated to become systemic. A theoretical framework on whistle-blowing will provide the quintessence of authorised disclosure and thus highlight some of the issues and dilemmas that arise in blowing the whistle.

This chapter will also conceptualise organisational culture and whistle-blowing in the context of public administration. Public Administration is the overarching field for this study and its essence must be understood in order to give understanding, background and justify the variables of this research. P(p)ublic A(a)dministration will be discussed, followed by an analysis of how organisational culture and anti-corruption mechanisms, particularly whistle-blowing, fit into and play a role in public administration and the enhancement of good governance. An understanding of the theory and the context of the study, in addition to the literature, will serve as a foundation for the research objectives of this study.

In Chapter One it was established that the organisational culture of South Africa is one that is described as systemically corrupt. Therefore, the phenomenon of systemic corruption in the context of whistle-blowing will also be examined, specifically in the case of South Africa and also Gauteng Province. Subsequently, whistle-blowing as a mechanism for anti-corruption will be examined in detail, together with literature on some of the challenges whistle-blowing faces in the public sector. Finally, the chapter

will also provide an explanation of the ideal public sector organisational culture, an ethogenic organisational culture, in contrast to a whistlegenic organisational culture.

2.2   THEORETICAL FRAMEWORK

According to Grant and Osanloo (2014:12), a theoretical framework is a guide or a 'blueprint' for research. It serves as a foundation on which the researcher can build constructs. Fulton and Krainovich-Miller (2010:545) liken a theoretical framework to a map, giving the researcher direction so that the researcher does not digress from the accepted and proven theoretical constructs and principles within a field of inquiry. The theoretical framework that the researcher chooses to apply must connect with each aspect of the research (Grant & Osanloo 2014:13). For the purpose of this study, theoretical frameworks will be provided on the main variables of the research, in particular, organisational culture and whistle-blowing.

2.2.1   Theoretical framework on organisational culture

Organisation is still a relatively young science (Onday 2016:2). Organisations have existed for centuries, but theories on organisation only began to develop in the 20th century as organisations developed (Onday 2016:2). There are various schools of thought on the concept of the organisation, but the framework for this study focuses on organisational culture theory.

According to Schein (1992:12), organisational culture is defined as

> ... "a pattern of shared basic assumptions that the group learned as it solved its problems of external adaptation and internal integration, that has worked well enough to be considered valid and, therefore, to be taught to new members as the true way to perceive, think, and feel within relation to those problems."

Various scholars have given a range of definitions of the term 'organisational culture'. Some have postulated that it means the ideologies, values or symbols held by the members of an organisation, or the 'scripts' outlined by the founders of an organisation (Onday 2016:5). As proposed by Martin (2006:1), organisational culture simply means "the way we do things around here". For the purpose of this study, the theory on the concept attributed to Schein will be discussed briefly.

2.2.1.1 Schein's theory on organisational culture

Schein's theory makes several generalised assumptions that serve as the point of departure on a theory of organisational culture. Schein's theory assumes that in order for a phenomenon to be strong or persistent, it means that there is stability in behaviour which will usually be difficult to change. The accepted behaviours and principles of value are continued, communicated and proliferated with the integration of new employees (Onday 2016:6). Hence organisational culture has stability lasting over a long period of time.

According to Schein (1992:12), culture is also characterised by conceptual sharing. Ethnographers found that individuals within a particular culture shared similar feelings, perceptions, behaviours and beliefs, which possibly stemmed from similar learned behaviour and similar influences. Culture then can be defined as based on a shared consensus amongst a group of individuals. In the organisation, in some instances, not all employees will share similar perceptions or values because the organisation is formed by individuals from different backgrounds. However, certain behaviours and perceptions may be pervasive, for instance, views on whistle-blowing, which will be discussed further in the chapter. In addition, culture is defined by patterns. Patterns drawn from observing certain societies made it possible for anthropologists to form generalisations and sometimes stereotypes about certain groups of individuals. Patterns thus are an aspect of culture.

Based on Schein's definition, one can establish that culture is built on dynamics. Historically, it was very difficult for anthropologists to determine the origins of particular group dynamics and behaviours. This problem has not affected the study of organisational culture as researchers are able to trace the origins of beliefs and values carried within an organisation.

Finally, Schein (1992:13) also highlights the importance of analysing culture holistically, as taking into cognisance the individuals that form a group, particularly their feelings and thoughts about the values that are shared by the group. This means that the shared individual perceptions are a result of the manner in which individuals are influenced and share similar experiences. Thus, culture is largely characterised by the collective group life.

2.2.1.2 Levels of culture

According to Schein's theory on organisational culture, analyses on culture can be made at different levels (Schein 2004:25). The different levels at which a culture manifests itself are both tangible and abstract, the spoken and the unconscious, embedded aspects of the organisation (Schein 2004:25). The levels of cultural analysis are illustrated in Figure 2.1.

Artifacts	Visible organisational structures and processes (hard to decipher)
Espoused Beliefs and Values	Strategies, goals and philosophies (espoused justifications)
Underlying Assumptions	Unconscious, take for granted beliefs, perceptions, thoughts and feelings (ultimate source of values and action)
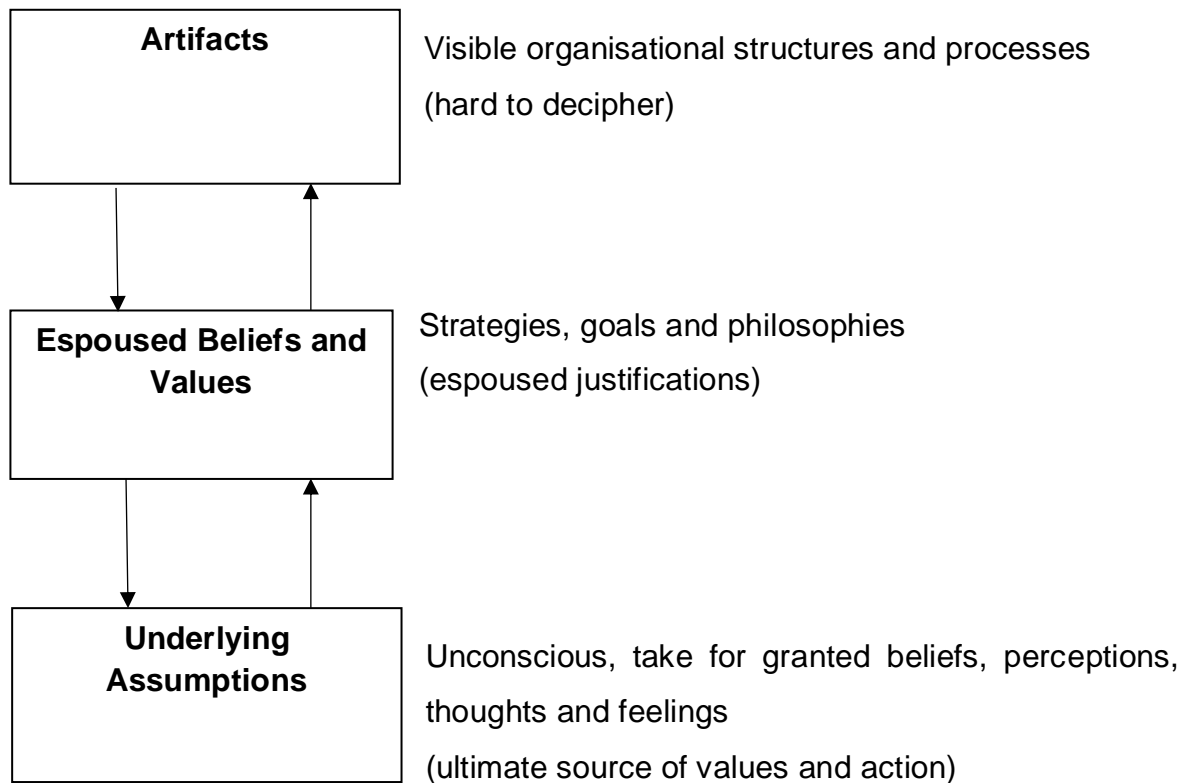
Figure 2.1: Levels of culture
Source: Adapted from Schein (2004:26)

2.2.1.3 Artifacts

According to Schein (2004:25), artifacts include all phenomena that an individual experiences through feeling, seeing and hearing in a new setting. They include the physical attributes of an organisation, e.g. the buildings, technology, language of communication, its style, the emotional responses of its individuals, how individuals communicate, and the long-standing myths amongst members of the organisation (Schein 2004:26). Artifacts thus highlight the aspects of an organisation that are visible and the routine, consistent behaviours. Artifacts also refer to the manner in which behaviour becomes habitual and to written formal descriptions of how employees should behave (Schein 2004:26).

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Artifacts may be observable, but not necessarily easy to interpret or explain. One can easily describe what one observes but the interpretation between different individuals may differ. Where there is group dynamic, it is important to have a full understanding of the artifacts and the meaning they convey about the organisation.

2.2.1.4 Espoused beliefs and values

In an organisation, employees carry different individual beliefs and values and have differing ideas of right and wrong. The overarching values in an organisation are outlined by the founding members or leaders of the organisation (Schein 2004:27). Before employees share any values, they are likely to follow the directives of their superiors. In a case where employees are given a solution to a problem by the leader of the organisation, that solution is viewed only as the leader's solution and not a shared solution amongst all parties involved. If the solution continually produces positive results, only then does it become a shared belief and afterwards develop into a shared assumption (Schein 2004:29).

It is not always guaranteed that members of the organisation will validate the ideas or solutions proposed by the leaders or founders. Employees that maintain beliefs that are divergent from the rest of the group risk "excommunication" (Schein 2004:29). The beliefs that develop into assumptions become the guide of how employees should approach difficult problems and areas of uncertainty (Schein 2004:29). When espoused beliefs are shared by employees in the organisation and are parallel to the underlying assumptions, a sense of unity and identity is established within the individuals (Schein 2004:29).

It is important for espoused beliefs to be clearly articulated, specific to practical situations in a manner in which employees will fully comprehend. Schein (2004:29) highlights the possibility of ambiguity or abstractness of beliefs. In some cases, the values may not necessarily be the best solution to a particular problem, thus behaviour opposes the supposed espoused values and assumptions.

2.2.1.5 Basic underlying assumptions

Basic assumptions refer to the conceived common assumptions that have been successfully implemented in an organisation (Schein 2004:30). These are assumptions that render any opposing beliefs to be inappropriate or inconceivable (Schein 2004:31). Schein gives the example of engineering. It is assumed that engineers would not intentionally design something that is faulty, without the need to be instructed to ensure that it is safe (Schein 2004:31). Hence basic assumptions serve as a guide for behaviour, they inform how employees should feel, think about and interpret certain things (Argyris 1976).

Basic assumptions make people's world seem predictable and stable; another member behaving contrary to these assumptions is considered a "foreigner" (McGregor 1960). Due to how entrenched basic assumptions are, they are very difficult to change. Changing them would require shifting the cognitive framing of the members of the organisation, both at an individual and a group level. Any suggestion of possible change brings a sense of destabilisation and anxiety (Schein 2004:31).

2.2.2   Theories on whistle-blowing

The act of whistle-blowing is one the whistle-blower must carefully consider before blowing the whistle. This is because of the results that may arise from the action; they do not always confront the act reported by the whistle-blower but instead, harm may come to the whistle-blower (Martin 2010:6). Consequently, whistle-blowing is not without risk (Ogbu 2017:18). The development of a fully working theory on whistle-blowing has been problematic due to the nature of, and the various circumstances surrounding, the act of whistle-blowing for each individual (Near & Miceli 1985 in Hamid and Zeinudin 2015:482). Two main theories on whistle-blowing were developed by De George in 1986 and subsequently by Hoffman and McNulty in 2009 building on De George's theory. The two theories mainly hinge on the question:

> Is it a moral duty to report wrong doing and at what point should an individual place his/her safety above the dictates of moral obligation? (Ogbu 2017:18).

2.2.2.1 De George's theory on whistle-blowing

De George's theory on whistle-blowing was published in 1986 in his textbook on business ethics. This is the main piece of seminal work used as a theoretical basis on whistle-blowing (Hoffman and McNulty 2009:3). According to De George (1986 in

Hoffman & McNulty), there are three circumstances or positions surrounding whistle-blowing: whistle-blowing may be 'morally prohibited', 'morally required' or 'morally permitted'. His point of departure is from American culture, where he states that culture is against "telling on others" or "ratting out" another individual based on the rationale of promoting loyalty (De George 1986 in Hoffman and McNulty 2009:4). This is the case in South Africa where the act of whistle-blowing is associated with the term 'impimpi', meaning a spy or informant, implying disloyalty (Isparta 2014:25). Despite these cultural views, De George (1986) maintains that there are certain instances where blowing the whistle should be morally permitted and morally required.

De George (in Hoffman & McNulty 2009:4) states that whistle-blowing should be morally permissible when:

> 1. "The firm, through its product or policy, will do serious and considerable harm to the public, whether in the person or the user of its product, an innocent bystander, or the general public.
>
> 2. Once an employee identifies a serious threat to the user of a product or to the general public, he or she should report it to his immediate supervisor and make his or her moral concern known. Unless he or she does so, the act of whistle-blowing is not clearly justifiable.
>
> 3. If one's immediate supervisor does nothing effective about the concern or complaint, the employee should exhaust the internal procedures and possibilities within the firm. This usually will involve taking the matter up the managerial ladder, and, if necessary — and possible — to the board of directors."

In addition to these, De George (in Hoffman & McNulty 2009:4) adds that for whistle-blowing to be morally required:

> 4. "The whistle-blower must have, or have accessible, documented evidence that would convince a reasonable, impartial observer that one's view of the situation is correct, and that the company's product or practice poses a serious and likely danger to the public or to the user of the products.
>
> 5. The employee must have good reason to believe that by going public the necessary changes will be brought about. The chance of being successful must be worth the risk one takes and the danger to which one is exposed."

Hoffman and McNulty (2009:4) make several arguments regarding some flaws in De George's theory on whistle-blowing. The first issue highlighted by Hoffman and McNulty (2009:5) is the dichotomy between morally permissible and morally required whistle-blowing. They argue that if something is morally permissible but not morally required, that would render it morally correct but not a duty and as a result, it is not necessarily mandatory for one to report misconduct based on these criteria. Essentially, something being regarded as morally permissible means it does not carry much weight. However, the conditions or criteria that are attached to actions regarded as morally permissible do carry weight (Hoffman & McNulty 2009:5). For example, De George (1986 in Hoffman & McNulty 2009:5) holds that blowing the whistle is not mandatory, but morally permissible if the organisation "through its product or policy, will do serious and considerable harm to the public". In the fourth criterion, De George states that it is morally required of an employee to blow the whistle if the whistle-blower can provide "documented evidence that would convince a reasonable, impartial observer that one's view of the situation is correct".

Based on De George's theory, if an employee suspects or is aware of maladministration but for any reason is unable to attain concrete evidence, he/she is not required to blow the whistle. Additionally, the fifth criterion states that the whistle-blower is required to disclose information of maladministration if this employee has evidence and good reason to believe that reporting the act will bring change within the organisation (De George 1986). Apart from this, it is not required for the whistle-blower to disclose any information. Considering the retaliation that most whistle-blowers encounter after reporting misconduct, De George's theory seems counter-productive to the purpose of whistle-blowing.

To put De George's criterion into perspective, one can look at the case of "Sekgobela v State Information Technology Agency (Pty) Ltd". In this case, in 2004 Sekgobela, a programme manager at the State Information Technology Agency (SITA), disclosed information that he had reported irregularities concerning awarding of tenders to the Chief Executive Officer (CEO) but they had not been mitigated (The Labour Appeal Court of South Africa 2011:2). When the CEO did not take action to address the problem, Sekgobela escalated the matter to the Office of the Public Protector (The Labour Appeal Court of South Africa 2011:2).

Sekgobela was suspended and subjected to several disciplinary procedures, following the disclosure to the Public Protector (The Labour Appeal Court of South Africa 2011:2). Looking at this case, according to De George's theory, Sekgobela was morally permitted and morally required to report the misconduct to the Public protector following lack of response by the CEO. On the other hand, based on the criteria given by De George, if Sekgobela did not believe that change would be brought about and given the response from the CEO, he would not have been required to disclose the information. This then highlights the problem within most South African public sector entities, where individuals may be aware of misconduct and although it is their duty to report it, they are unable to disclose it due to the possible risk of retaliatory action such as the disciplinary action and suspension experienced by Sekgobela.

Another issue with De George's (1986) theory is that for whistle-blowing to be morally permissible, the whistle-blower needs to escalate the matter in terms of the hierarchy of the organisation and it should only be reported externally when all internal processes are exhausted. Hoffman and McNulty (2009:3) argue that this seems to shift focus from the actual misconduct reported to focusing on the consequences of the disclosure on the whistle-blower, leading to some form of action being taken against the whistle-blower. Whistle-blowing under any circumstances is therefore an act carrying with it a great deal of risk (Ogbu 2017:19).

2.2.2.2 Universal dignity theory of whistle-blowing

Based on the theory of whistle-blowing by De George and the arguments rising from the different criteria of the theory, Hoffman and McNulty developed a subsequent theory on whistle-blowing called the 'Universal Dignity Theory of Whistle-blowing' (UDTW). The point of departure of Hoffman and McNulty's (2009:7) theory states that:

> "Whistle-blowing is both permissible and a duty to the extent that doing so constitutes the most effective means of supporting the dignity of all relevant stakeholders."

The guiding principle of the theory affirms the importance of human dignity stating that:

> "All human beings have intrinsic worth or dignity by virtue of their humanity, and no individual or group has the moral authority to deny others their inherent dignity."

Based on this premise, Hoffman and McNulty (2009:7) stipulate the 'conditions for ethical whistle-blowing' as:

> 1. "Compelling evidence of nontrivial illegal or unethical actions done by an organisation or its employees that are deemed to violate the dignity of one or more of its stakeholders;
> 2. A lack of knowledge within the organisation of the wrongdoing or failure by the organisation to take corrective measures."

Ethical whistle-blowing is necessitated by these conditions being met. An employee is exempted from ethical whistle-blowing if the third criterion is met, which states:

> 3. "One would be conditionally exempted from the duty to blow the whistle if one had credible grounds for believing that by doing so one would be putting oneself or others at risk of serious retaliation" (Hoffman and McNulty 2009:7).

According to De George's (1986) theory, in order for an individual to blow the whistle, certain criteria must first be met and if they are not met, the individual does not necessarily have to blow the whistle (Hoffman & McNulty 2009:8). Hoffman and McNulty (2009:8), on the other hand, believe that an employee in an organisation has a 'moral duty to blow the whistle' unless the individual believes that doing so would lead to loss of dignity or being harmed in some manner. In developing the UDTW, Hoffman and McNulty make reference to De George's assertion that

> "In all cases, because whistle-blowing involves disloyalty or disobedience at some level, we start by requiring that it be justified, rather than assuming it needs no justification" (De George 1986: 237).

Hoffman and McNulty (2009:9) argue that to make this statement this is to have an incorrect perception or understanding of the essence of whistle-blowing and loyalty. Isparta (2014:32) alludes to the fact that whistle-blowers are viewed either as disloyal and untrustworthy individuals or as heroes who value ethics over loyalty. Hoffman and McNulty (2009:9) maintain that the latter should be the perception held on whistle-blowers. They affirm that for the whistle-blower,

> "When faced with a choice between loyalty to an organisation and loyalty to ethical conduct, ethics should prevail" (Hoffman & McNulty 2009:9).

According to the UDTW, there are two forms of loyalty: loyalty to the guiding principles of ethics and loyalty to the organisation or to other employees in the organisation

(Hoffman & McNulty 2009:9). However, "group loyalty is a virtue to the extent that the group is committed to virtuous conduct" (Hoffman & McNulty 2009:9). Whistle-blowing is in fact loyalty as it enhances ethical principles and is therefore beneficial to the various stakeholders (Hoffman & McNulty 2009:9). The decision to withhold information of misconduct is a sign of impassivity and apathy (Hoffman & McNulty 2009:9). The main thrust of the UDTW is that the dignity of all stakeholders should be protected and anything that threatens this dignity should be disclosed.

Essentially, the theories explained in this section highlight some of the principal misconceptions on whistle-blowing in cultural theory. Some of these misguided views extend to the practical aspects of whistle-blowing. However, under any circumstance, the upholding of human dignity should be central to any action taken with regards to the decision to blow the whistle. The subject will be further contextualised into Public Administration.

2.3 CONCEPTUALISATION OF THE SUBJECT INTO PUBLIC ADMINISTRATION

The overarching field of enquiry for this study is public administration. Thus, in order to understand how this study fits into public administration, one must first grasp the essence of the field itself.

2.3.1 Defining P(p)ublic A(a)dministration

Public administration is the working together of more than one individual in order to attain a goal or objective (Cloete 1981:1). Public administration can be seen in all facets of human interaction, where several individuals work to achieve a common deliverable, as seen in the functions of government. In simple terms, administration means "to care for or look after people, to manage affairs" (Gladden 1953:1). Due to the need to attain certain objectives, public administration must be carried out with efficiency and effectiveness. According to Gladden (1953:21), administrative efficiency is achieved through four means: (i) specialisation of tasks; (ii) systems of hierarchy; (iii) a small or limited span of control; and, (iv) organising employees into working groups based on their purposes.

According to Marx (in Marume 2016:15) public administration

> ... "is a determined action taken in pursuit of a conscious purpose. It is the systematic ordering of affairs and the calculated use of resources aimed at making those things happen which one wants to happen and foretelling to the contrary."

From this definition, public administration is promulgated by collective effort and shared goals (Marume 2016:16). Using this definition, with regards to governance, public administration thus alludes to the implementation of the policies effected by the executive branch of government (Stillman 1980:3). Totemeyer (1988:1) affirms this notion stating that administration refers to achieving targets that are politically established. The ultimate goal of the stipulated administrative tasks is to serve the people.

2.3.2 Discipline of Public Administration

According to Patil (2011:1), the discipline of Public Administration is over a century old and has been developing since the late 1800s. The discipline has evolved from the publication of an essay by Woodrow Wilson in 1887 distinguishing between administration and politics to where public administration is currently.

Public administration as a function can be traced back to the beginning of the existence of societies in humankind (Hanekom 1988:67). The discipline, however, is traced back to what Patil (2011:1) determines to be the first period of Public Administration. Thornhill (2006:794) refers to the works of von Stein in 1855, a time in which administrative law was the field overarching public administration in Europe. Von Stein argued that Public Administration was a 'melting pot of several disciplines' needing the development of a scientific method (Thornhill 2006:794). Several scholars such as Patil (2011:1) maintain that the first period of Public Administration commenced in 1887, following Woodrow Wilson's publication of the public administration dichotomy, till 1926. In his article, Wilson argued for:

- separation between politics and public administration
- consideration of the government from a commercial perspective
- comparative analysis between political and private organisations and the political schemes; and

- reaching effective management by training civil servants and assessing their quality (Thornhill 2006:795).

He highlighted that the purposes of public administration and those of politics needed to be clearly defined.

In the second period of public administration (1927-1937), the importance of administrative principles for both the public and private sectors was realised. Academics and practitioners in public administration worked towards outlining clear-cut principles of (P)public (A)administration. In the third period post-1945, academics began to question the ideas presented by Wilson (Thornhill 2006:796). They argued that it was not possible to completely separate public administration from politics as one cannot function without the other.

In the fourth period, between 1948 and 1970, Public Administrationists developed the managerial aspect of public administration (Patil 2011:2-3). The managerial functions studied included marketing, organisational theory, communication, human resource management, budgeting, decision-making, planning and leadership. The fifth period of Public Administration, post-1970 made a clear distinction between public administration and politics in practice and in the discipline through the development of the New Public Administration (Patil 2011:3). In this period, technological advancements, bureaucratic and client interactions, violence and, relevant to this study, ethics and values were highlighted. In the 1990s, the New Public Management was developed, with arguments that United States citizens' trust in government had deteriorated due to the traditional and primitive methods of public administration. Public administrators contended that there was a need to develop more efficient and cost-effective methods of functionality and to place the needs of the citizenry first while promoting responsiveness (Patil 2011:3).

It is evident that putting the needs of the citizens first is the primary purpose of public administration, but this comes with challenges when public servants do not necessarily share this vision. This is a challenge faced globally, in South Africa and more specifically, at the departments of Gauteng Province. This necessitates an ethical culture that promotes whistle-blowing.

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2.3.3 Organisational culture in public administration

Organisational culture is one of the main variables of this study and it is important to understand the concept within the context of Public Administration. In the context of an organisation, Arnold (2005:625) defines organisational culture as "the distinctive norms, beliefs, principles and ways of behaving that combine to give each organisation its distinct character". The culture of an organization is what distinguishes an organisation from other organisations. Brown (1998:9) alludes to a similar definition of organisational culture. He goes further to state that organisational culture also manifests through the behaviour of the employees in the organisation. Organisational culture distinguishes an organisation in such a unique manner that some of the behavioural patterns are unwritten or unspoken but adopted through observation and identity (Brown 1998:9). New employees in an organisation naturally adopt this behaviour.

Kotter (2008) provides two different levels of culture:
- a visible or observable level of culture which new employees in an organisation are urged to follow by already existing employees. This level persists at a purposive level and although it may be difficult, it may be changed.
- a less observable level at which a group shares beliefs and values which endure over generations of employees in the organisations. The culture at this level occurs subconsciously and can be very difficult to change.

Organisational culture is characterised by stability, dynamics, patterning, conceptual sharing and group life (Schein 1992:13). Organisational culture is thus largely defined by the influence of common behaviour and attitude of each individual employee. Nyberg (2011) argues on the danger of group influence, which he terms 'groupthink'. He defines groupthink as the influencing of individuals in an organisation to adopt the values, beliefs and behaviours held by the group "without real intellectual conviction" (Nyberg 2011). Groupthink is a vital concept in this study as it is the essence of organisational culture.

The main function of organisational culture is to guide the behaviour, attitudes and value systems of the organisation's employees (Arnold 2005:625). Brown (1998:88-91) gives the following as other functions of organisational culture:

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- Coordination and control
- Conflict reduction
- Motivation
- Reduction of uncertainty
- Competitive advantage.

Martins and Martins (2003:382) add to these functions, arguing that organisational culture:

- Defines the boundaries that distinguish an organisation from other organisations
- Gives a sense of identity to the organisation's members
- Promotes commitment and loyalty to a cause greater than the individual
- Provides stability to the social system through the setting of required standards of behaviour
- Serves as a mechanism shaping the behaviour of employees in the organisation.

Culture plays an important role in defining and characterising an organisation. The leaders of an organisation must work towards ensuring that the functions of its organisational culture are utilised optimally in order to achieve the best results. In the South African public sector, there are several pieces of legislation stipulating what the nature of organisational culture should be. These include the Code of Conduct for the Civil Service, The Constitution of the Republic of South Africa (1996), the Batho Pele principles and the NDP. These documents do not empirically define the state of organisational culture in the South African public sector but serve as foundations and guidelines of what public sector organisations should strive to achieve.

The values and principles of the South African public sector are outlined in Chapter 10, section 195 of the Constitution of South Africa (South Africa 1996). This section states that a South African public servant must ensure the following:

1) "A high standard of professional ethics must be promoted and maintained.
2) Efficient, economic and effective use of resources must be promoted.
3) Public administration must be development-oriented.
4) Services must be provided impartially, fairly, equitably and without bias.

5) People's needs must be responded to, and the public must be encouraged to participate in policymaking.

6) Public administration must be accountable.

7) Transparency must be fostered by providing the public with timely, accessible and accurate information.

8) Good management of human resources and career-development practices to examine human potential, must be cultivated.

9) Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation."

These principles are a guideline of values that should be propagated and adopted in the process of establishing a strong organisational culture. Every individual forming a part of the public service must carry and serve by these values and thus, the leaders of public sector organisations must promote these values at both the visible and less visible levels defined by Kotter (2008). The culture of the public service lies in these values.

The GPG will be the focus of this study and the values promoted by the organisation must be highlighted. According to MacCarthaigh (2008), values form a fundamental aspect of organisational culture. In order to maintain public trust and confidence in the public service its work must be value-based (O'Riordan 2015:14). Bozeman and Jorgensen (2007:355) maintain that "there is no more important topic in public administration and policy than values". The values of the Gauteng Premier's Office are described in Table 2.1.

Table 2.1: Values of the Gauteng Office of the Premier

Value	What it means in practice
Patriotism	• Remain true to the values of loyal service to the people; • A sense of duty and service, and the passion to serve beyond the call of duty; • Participation in all key government activities
Purpose	• Work tirelessly towards achieving goals; • Driven by purpose and the achievement of results; • Displaying the right attitude to the task at hand; • Exude positive energy in moving our province forward
Team focus	• Working together to assist each other and enable all departments to succeed; • Sharing of knowledge and insights towards a common purpose
Activism	• Use all available opportunities to promote and lobby for desired social and economic changes; • Strive to participate in all key government activities as an opportunity to lobby for key programmes; • Exude positive energy in engaging with others about our desire and plans to move our province forward.
Integrity	• Value openness, honesty, consistency and fairness; • Act in good faith in all our day-to-day activities; • Display humility in our actions;

	• Committed to ethical behaviour and focus on justice and fairness;
	• Exercise care not to disclose confidential information.
Accountability	• Do what we say we will do, then follow through on whether it has been done correctly;
	• Take ownership of the task to ensure it gets done correctly, the first time around;
	• Deliver the best that we can.
Innovation	• Listen to and understand needs and create new approaches to what we do;
	• Focus on cutting edge, best in class and "outside the box" approaches and solutions.

Source: Adapted from Gauteng Office of the Premier (2016:12-13)

The values of the Gauteng Premier's Office must be reflected through its organisational culture. As the leader of the province, the values uplifted by the Premier and through the Premier's office trickle down to the other provincial departments and ultimately aim to bring success to all of them. The values that are upheld are reflected in the organisational culture.

2.3.4 Systemic corruption in public administration

In order to fully comprehend the phenomenon of systemic corruption, it is important to understand what corruption is. Corruption is defined as "the abuse of public office for private gain" (World Bank 1997:9-10). Former President Thabo Mbeki defined corruption as

> ... "steal[ing] public resources … by taking advantage of the position you find yourself in, of access to these resources by virtue of the fact that you happen to be employed in the public service" (Gildenhuys 2004:83).

Given the role of public administrators in the implementation of policy, corruption impedes this process and results in the undermining of the needs of the public and of good governance.

It is imperative to understand corruption and the different facets in which it occurs. According to Tooley and Mahoai (2007:367-368) and the DPSA (2002:7-8), corruption manifests in several forms, e.g. bribery, kickbacks, embezzlement, fraud, extortion, abuse of power, favouritism, nepotism, conflict of interest.

The definition of corruption provided by the World Bank further goes to differentiate between 'isolated' and 'systemic' corruption based on the gravity of entrenchment in a system and the frequency at which it occurs (Coetzee 2011:2). Isolated corruption is "rare, consisting of a few acts, it is straightforward (though seldom easy) to detect and punish" (World Bank 1997:9-10). In a sector where corruption is isolated, ethical behaviour is the norm and employees uphold integrity and accountability (Coetzee 2011:2). In cases where corruption occurs sporadically, such a system is sturdy enough to return to a "non-corrupt equilibrium".

By contrast, in a system where corruption is said to be 'systemic', corruption is rife and ingrained in the system (World Bank 1997:9-10). Corrupt behaviour is the standard procedure in the day-to-day functioning of the organisation or sector. In such a system, corrupt activities are unlawful, but have become widely acceptable in the sector (Coetzee 2011:2). Coetzee (2011:2) refers to the equilibrium as the "systemic corruption trap". In a systemically corrupt sector, corruption is highly profitable and as a result, is rarely denied and the breeding of corruption remains on-going.

According to the Corruption Watch 2017 report, South Africa's public sector is characterised by systemic corruption. In fact, the NDP propagated from the National Planning Committee's (NPC) Diagnostic Report in 2011 highlighted corruption as one of the country's nine greatest challenges (NPC 2011:25). Public officials comfortably take bribes daily (More 2018). Corruption in South Africa was said to be most pervasive during the era of the Zuma administration (More 2018). In 2017, South Africa was ranked number 71 out 180 countries on the Corruption Perceptions Index (CPI) by Transparency International (Transparency International 2017). Corruption Watch's

2017 annual report stated that the body had received 5334 reports, compared to 2382 in 2015 (Corruption Watch 2017:31). The country's score on the CPI has ranged from 42 to 45 since 2012 (Corruption Watch 2017:31). This reflects the lack of improvement in curbing corruption in the global arena regardless of efforts made for anti-corruption.

According to Coetzee (2011:10), corruption exists

> ... "to selfishly and exclusively serve the corrupted. The result is the destruction of the integrity of the whole, an obstruction for and an obstruction of development."

As such, it is important to develop and examine anti-corruption mechanisms, in this case, whistle-blowing.

2.3.5 Anti-corruption strategies

Corruption not only leads to the proliferation of poverty, but it also inhibits development and hampers service delivery (Minderman, Raman, Coste & Woods 2012:8). Majila, Taylor and Raga (2018:88-89) maintain that it is imperative for governments to develop anti-corruption strategies through various means such as promulgation of legislation and agencies. South Africa's government abides by this necessity and anti-corruption legislation exists at all levels of government.

The Constitution of South Africa reinforces anti-corruption through the provisions made for watchdog bodies known as the 'Chapter 9 institutions'. These institutions include:

i.   The Public Protector
ii. The South African Human Rights Commission
iii. The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
iv. The Commission for Gender Equality
v.   The Auditor-General
vi. The Electoral Commission; and the Public Service Commission provided for in Chapter 10 of the Constitution (South Africa 1996).

As per the Constitution (1996), these bodies all exist to "strengthen constitutional democracy". However, most cases of corruption that are subject to external disclosure (which will be explained further in this chapter) are investigated by the Public Protector

and/or the Auditor General. These bodies investigate cases of corruption and perform financial audits of all government departments, in all spheres and branches of government.

Based on the values of public administration listed in Chapter 10 of the Constitution, anti-corruption strategies should serve to uphold and preserve these values. Strategies to curb corruption should be practical methods of implementation. Stemming from the Constitution, anti-corruption strategies become more specific and simpler as they trickle down the different levels of government. Additionally, documents at a national level, such as the NDP, state that one of the 'critical actions' on the South African agenda is to "strengthen accountability, improve coordination and prosecute corruption" (National Planning Commission (NPC) 2011:34). Corruption is a grave challenge on the national agenda and it is addressed through anti-corruption strategies.

South Africa is also a signatory of binding international and regional conventions on anti-corruption such as the United Nations Convention against Corruption, the African Union Convention on Prevention and Combating Corruption, the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention and the Southern African Development Community (SADC) Protocol against Corruption (Davids 2012:103). Conventions are binding, meaning that South Africa is required by international standards to take practical and strategic steps to combat corruption (Davids 2012:103).

The Gauteng Province has developed its own anti-corruption strategies. The province's strategy was amended in 2015 by Premier David Makhura's administration to a multi-pillar upheld strategy, the pillars being: Prevention, Detection and Investigation and Resolution (GPG 2015: vi). The second pillar involves detection of corruption through developing a database of corrupt activities, conducting internal audits regularly, prompt response to corrupt activities by management, and developing effective and safe mechanisms for whistle-blowing. Given the various pillars of the GPG, it is important to note that whistle-blowing is not the only method of reducing corruption but will increase the strides in detecting corruption in the public sector.

2.4 DEFINING WHISTLE-BLOWING

Johnson (2003:4) maintains that the exact origins of whistle-blowing have not yet been established, but various definitions have been postulated in the organisational context. According to Near and Miceli (1985:4), whistle-blowing is

> ... "the disclosure by organisation members (former or current) of illegal, immoral or illegitimate practices under the control of their employers, to persons or organisations that may be able to effect action."

Hamid and Zainudin (2015:480) highlight the important aspects in this definition; first, that disclosure can be by a current or a former employee; second, the activities that can be disclosed are those classified as "illegal, immoral or illegitimate"; and third, the organisation or individual receiving the disclosure are believed to have the capacity to take action in mitigating the problem.

Jubb's definition further provides some aspects to the term whistle-blowing. Jubb (1999:83) defines whistle-blowing as a

> ... "non-obligatory act of disclosure, which gets onto public record and is made by a person who has or had privileged access to data or information of an organisation, about non-trivial illegality or other wrongdoing whether actual, suspected or anticipated."

This definition alludes to the non-obligatory nature of whistle-blowing; the whistle-blower decides voluntarily on whether or not to report unethical conduct. The definition also provides for the disclosure of anticipated or suspected wrongdoing (Hamid & Zainudin 2015:481).

According to Banisar (2011), the term whistle-blowing is used inter-changeably with the term "informant" due to the similar nature of disclosure. However, Banisar highlights that when seeking understanding of the nature of whistle-blowing, one must be aware of the differences between a whistle-blower and an informant. An informant usually performs duties under coercion or to keep from being prosecuted (Banisar 2011). Additionally, informants often receive some form of remuneration, while whistle-blowers disclose information voluntarily, for the benefit of the organisation or the citizenry.

Nader (1972:vii) defines whistle-blowing in a public sector context as

... "an act if a man or a woman who believing that the public interest overrides the interest of the organisation he [or she] serves, blows the whistle that the organisation is involved in corrupt, illegal, fraudulent or harmful activity."

This definition provides similar aspects to those previously provided. However, Nader highlights that the whistle-blower places public interest above the interests of the organisation (Banisar 2011). Given this definition, whistle-blowing thus promotes accountability and good governance (Cohen-Lyons & Morley 2012:16).

Although there are varying definitions of whistle-blowing, there are four elements that are apparent in all the definitions: (i) The whistle-blower who reports illegal activities; (ii) The nature of the activity that is reported; (iii) The perpetrator involved in the unethical conduct; and (iv) The entity or individual to whom the misconduct is reported (Dasgupta & Kesharwani 2010:1).

Blowing of the whistle is fuelled by an individual's suspicion or knowledge of the second element, unethical behaviour. Employees may have different perceptions of what constitutes right and wrong if these are not clearly stipulated in company policy. Organisations may have specific guidelines on what sort of conduct must be disclosed, but according to Miller, Roberts and Spence (2005:267), the following must be reported:

i. Fraudulent or corrupt conduct
ii. Any illegality or infringement of the law
iii. Gross or substantial wastage of resources
iv. Substantial misconduct, mismanagement or maladministration
v. Dishonest or partial performances of duties
vi. Endangering public health or safety and the environment
vii. Misuse of information
viii. Breach of trust.

According to De George (2010:300), there are different types and avenues which may be used in the whistle-blowing process

i. Internal whistle-blowing: This whistle-blowing is carried out using the formal channels and procedures within the organisation.

ii. External whistle-blowing: This is when the whistle-blower reports maladministration to an individual or entity outside the organisation by which he/she is employed. This channel is usually followed when the whistle-blower has exhausted the channels within the organisation but has not acquired a satisfactory outcome. In the public sector for instance, the whistle-blower may report unethical conduct to the Public Protector to investigate.

iii. Personal whistle-blowing: This is when an individual reports any unethical conduct that personally affects him/her. For example, an individual who has been sexually harassed may disclose this information.

iv. Impersonal whistle-blowing: This is when an employee discloses information that affects other employees or the organisation itself.

v.   Government whistle-blowing: This is when an employee in the public sector reports corruption taking place in the government. In this case the employee blows the whistle in order to protect the interest of the public.

Naidoo (2007:5) argues that external whistle-blowers tend to diminish trust and cause tension between the employer and the employee and as a result, external whistle-blowers usually experience more retaliation than internal whistle-blowers. This is because organisations prefer to resolve any matters of maladministration internally, however, external whistle-blowing by-passes internal resolve and thus the organisation is subject to public scrutiny at the cost of its reputation.

2.4.1 Steps in whistle-blowing

Organisations are required to have clearly defined ethics policies, including comprehensive whistle-blowing procedures (Transparency International 2010:5). It is imperative that superiors in the organisation are trustworthy in order for employees to blow the whistle on employees at any level in the organisation without fear of retribution and that they follow the appropriate channels.

Various authors provide different steps in the whistle-blowing process. According to Barker and Dawood (2004:131-132), there are five steps in the whistle-blowing process.

2.4.1.1 Step 1: Reduce opportunities to commit unethical or illegal conduct

An organisation must thoroughly screen incoming employees. The leaders of the organisation must ensure that there is no room for any unethical behaviour which new employees may replicate from existing employees. Employees must always be encouraged to follow the correct conduct through application of the codes of conduct.

2.4.1.2 Step 2: Establish if the observed activity is indeed wrong

Any act that is against the law or ethical conduct is wrong. An employee must decide whether to report an act that he/she perceives to be wrong based on the gravity of that act and if reporting the act will bring a stop to the reported activity.

2.4.1.3 Step 3: Use internal mechanisms in the organisation

Organisations must have clearly outlined whistle-blowing mechanisms in place which employees fully comprehend and will be able to follow before disclosing information to external entities resulting in public scrutiny without internal control.

2.4.1.4 Step 4: Use organisational policies/procedures

Use of internal whistle-blowing channels allows minimal damage and for the issue to be mitigated without external influence. The organisation must always act upon the disclosed information through investigation regardless of the nature or gravity of the act. In some cases, the relevant individuals receiving the disclosure, e.g. the Human Resources Department might choose to 'stonewall' the whistle-blower by ignoring the report altogether (Isparta 2014:24). In some organisations, the management may portray themselves to be open to whistle-blowers and encourage employees to disclose while being corrupt (Camerer 1996:48 in Holtzhausen 2007:191). If management in an organisation is corrupt, the whistle-blower may lose his/her job.

2.4.1.5 Step 5: External whistle blowing

A whistle-blower may justify external whistle-blowing only if the internal channels have been utilised and did not fix the reported problem, or if the available channels are not usable or are completely unavailable. External whistle-blowing is used when an

employee believes that the external organisation will take action against the disclosed activity and the entity may see the whistle-blower as credible.

It has been established that most organisations have whistle-blowing procedures in place and the types of misconduct that warrant blowing the whistle. In organisations where the policies are stipulated, the question becomes: Why do employees choose to withhold information of unethical activities they are aware of or opt for external whistle-blowing? This leads to a discussion of some of the dilemmas with which a whistle-blower is faced when deciding to report corrupt activities.

2.4.2 Silence versus disclosure

According to Miethe (in Holtzhausen 2007:167), there are four responses to wrongdoing in an organisation. These responses are:

- non-observation of misconduct;
- silent observation that occurs when those who observe corruption choose to remain silent;
- internal whistle blowing that occurs when those who blow the whistle use the internal channels of the organisation;
- external whistle blowing that refers to when those who disclose wrongdoing to authorities do so outside of the organisation.

Non-observers of misconduct, as the name suggests, are not aware of or have not actually observed any misconduct and thus are not in a position to blow the whistle. Internal and external whistle-blowers both allude to individuals that decide to disclose information but take different avenues in doing so. The problem or focus of this study is the silent observers. It is important to understand the dilemma the whistle-blower faces when taking a decision on whether or not to blow the whistle, particularly where organisational culture is a determining factor.

In making a decision to blow the whistle, an employee's choice may be affected by various factors such as self-esteem, character, age, religion and length of tenure in the organisation (Near & Micelli 1992:115). These factors are correlated with the whistle-blower's decision-making process. Although these are factors in determining

the decision an individual makes on whether or not to disclose misconduct, the decision finally made might be influenced solely by the organisational culture.

Whistle-blower policies in organisations naturally purport that the whistle-blower is fundamental to the uprooting of corrupt behaviour. However, the true perception of whistle-blowers in an organisation's culture strongly influences the level of whistle-blowing in that organisation. In some organisations, whistle-blowing is seen as an act of betrayal that tarnishes the organisation's reputation (Uys 2006:9). The individual thus resorts to remaining silent in order to protect his/her reputation and for the reputation of the organisation to remain intact.

In South Africa specifically, the term whistle-blower is associated with the term "impimpi", which was used to refer to a 'snitch' or a 'police spy' during the pre-1994 apartheid government (Isparta 2014:25). This association with a derogatory term shifts the essence and intent behind the act of whistle-blowing as it has negative connotations attached to it. No employee would want to be labelled as an 'impimpi' and as a result, perception affects whistle-blowing.

According to Uys (2008:904), in an organisational context, whistle-blowers pay heavily for disclosing corruption. She highlights the irony of the existence of whistle-blower and ethics policies and the emphasis on values such as integrity, accountability and honesty and yet, these are the organisations in which whistle-blowing is frowned upon (Uys 2008:905). This is particularly true in an organisation where corruption is the norm and the whistle-blower must decide whether to accede to these norms or truly uphold the values of honesty and integrity. This is the case in a sector that is systemically corrupt as is the South African public sector.

In a sector where corruption is part of its day-to-day functions, whistle-blowers are outliers and usually experience retaliation in various forms. Such organisations breed a "culture of silence" and management and employees are of the belief that "anything goes", and any form of behaviour is permissible (Dehn & Borrie 2001:2). Employees thus prefer not to report any corruption in order to avoid "rocking the boat" and creating strife (Ewing in Milliken, Morrison & Hewlin 2003:1455).

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In a study conducted by Uys (2008:911), one individual disclosed information on irregular trading taking place in her organisation as was required by her job but was retrenched from her position due to her job being 'redundant'. This is an example of how a whistle-blower receives retaliation sometimes through procedures and for reasons he/she may be unable to contend.

It is very difficult for whistle-blowers to protect themselves in an organisation that is systemically corrupt. Retaliation can result in the whistle-blower going through several litigation processes or experience isolation from other colleagues (Uys 2008:905). Even if employees are not necessarily involved in corrupt activities, nobody wants to be associated with a whistle-blower (Uys 2008:905). Additionally, whistle-blowers may suffer retaliation from employers and colleagues by

> ... "abrupt downgrading of their job performance, blacklisting, suspension, transfer, personal harassment, character assassination, the introduction of disciplinary proceedings and sexual exploitation" (Uys 2008:905).

Even if an individual does not lose his/her job following blowing the whistle, the retribution experienced makes it difficult for the employee to remain in the organisation (Milliken et al. 2003:1456).

Whistle-blowers are often faced with a dilemma of where to place their loyalty; to the organisation and colleagues or to the community, particularly in the public sector. Uys (2008:905) maintains that in many cases, individuals blew the whistle and later regretted 'betraying' colleagues that trusted them. As such, the employee's loyalty to the organisation becomes prioritised over loyalty to the public. This contradicts the values of public administration outlined in Section 195 of the Constitution, but is a point of conflict for the potential whistle-blower.

Apart from the negative response an employee may receive for blowing the whistle, silence may be the option if the whistle-blower believes that relevant internal authorities will not take any action in addressing the disclosed activities (Zipparo 1999:88). This lack of trust in the organisational processes may be a lesson learnt from other employees experiencing retaliation. Employees lose trust in the trustworthiness and usefulness of internal mechanisms and avoid making use of them altogether.

A whistle-blower may face retaliation by loss of his/her job in an organisation for falsified reasons provided by the employer. Holtzhausen (2007:211) suggests that an individual might suffer financial consequences through retribution from the organisation. As such, prior to blowing the whistle, an employee uses a cost-benefit analysis to decide whether the potential benefit of problem mitigation through disclosure is worth the cost of the loss or potential loss of income (Hamid & Zainudin 2015:482). This makes the conundrum experienced by whistle-blowers even more complex.

Employees thus may be well aware of the internal procedures of the whistle-blowing process; they may be well-acquainted with Steps 1 and 2 of the process (Barker & Dawood 2004:131-132), but the culture of the organisation may make it impossible to carry out the rest of the process, particularly Steps 3 and 4, in the ideal manner. As a result, employees opt for external whistle-blowing.

Given the dilemma the employee faces in deciding to blow the whistle, it is very difficult to follow the procedures outlined by the organisation's policy. This is because a whistle-blower may lose his/her job having made use of internal mechanisms and subsequently becoming unemployed. In such cases, external whistle-blowing becomes the only resort, although it is not without much difficulty and possible tarnishing of the whistle-blower's reputation due to public disclosure.

Ogbu (2017:17) argues the importance of commitment to the duty of the public servant of serving the interest of the public at all costs. However, it is not possible to do so without considering the possible risk or harm that may come to the whistle-blower. The UDTW also alludes to this in stating that the exempting condition from whistle-blowing is "if one had credible grounds for believing that by doing so one would be putting oneself or others at risk of serious retaliation" (Hoffman & McNulty 2009:7). The safety of the whistle-blower is indeed a priority, but Zipparo (1999) argues that using potential harm to exempt one from whistle-blowing may result in no whistle-blowing at all, particularly in a systemically corrupt sector. As such, the solution is to redefine the system, from a whistlegenic to an ethogenic organisational culture.

2.5 UNDERSTANDING ETHOGENIC AND WHISTLEGENIC ORGANISATIONAL CULTURES

As stipulated previously in this research, whistle-blowers experience much retaliation and are often unable to protect themselves. Most research on whistle-blowers has focused on strengthening their protection and finding ways to enhance and improve the legislation and thereby encourage employees to whistle-blow (Uys & Senekal 2013:32). Although this is of paramount importance, Uys and Senekal maintain that it is more beneficial, in the matter of whistle-blowing, for organisations to take a pro-active approach through institutionalising whistle-blowing by creating what they termed an ethogenic organisational culture.

Before understanding an ethogenic organisational culture, it is important to understand whistlegenic organisational culture as it is closely related to the South African public sector. According to Hunt (1998), a whistlegenic organisation is one in which whistle-blowing is warranted by a high level of unethical conduct within the organisation: "the essential feature of such an organisation might be general arrangements which fail to deter and rectify wrongdoing and fail to encourage ethical values and behaviour" (Hunt 1998:533 in Uys & Senekal 2013:32). Hunt adds that the culture of such an organisation is characterised by hypocrisy, corruption and a laissez-faire culture that perpetuates fear (Hunt 1998:533 in Uys & Senekal 2013:32).

Hunt further explains that

> … "such organisations will generally have a gamut of internal failures, such as poor communication, low participation in decision-making, dissonance in the values held by stakeholders and by the organisation in practice, and low morale. It is possible for such an organisation to maintain a high, if false, public reputation by gagging staff by sustaining a climate of insecurity or fear" (Uys & Senekal 2013:32).

Although the aspects may differ, the nature and culture of a whistlegenic organisation is similar to that of a systemically corrupt one, which is the case in the South African public sector, as explained in previous sections.

Having understood the whistlegenic culture, it is important to transform the organisational culture of the public sector into one in which the 'spirit of whistle-blowing' is fostered (Uys & Senekal 2013:32). This entails transformation of the

organisational culture by ensuring internal resolution of all misconduct through the propagation of relevant structures and policies serving as organisational routine.

In contrast to the whistlegenic organisational culture, an organisation with an ethogenic culture promotes a sound, ethical organisational culture. This is one in which "ethical concerns can be raised, discussed and resolved in line with the company's values, principles and standards within the workplace and management line" (British Standards Institute 2008:12). Although it is imperative and advantageous to have defined ethical standards in organisation policy, Uys and Senekal (2013:33) maintain that in order for the spirit of whistle-blowing to become institutionalised, the existence of policies alone will not revolutionise this aspect of organisational culture. This is seen with the South African public sector, for instance where legislation such as the Protected Disclosures Act of 2000 was amended in 2017 in order to improve on and address some loopholes in the policy. However, the point that Uys and Senekal make is that it is not the development or amendment of whistle-blower policies for improvement that organisations need, but a change in the perception and entire organisational culture with regards to whistle-blowing.

In an ethogenic organisation the values of integrity, honesty, transparency and accountability are upheld, not out of fear or coercion, but simply because employees want to do "the right thing" (Uys & Senekal 2013:33). It entails management in an organisation addressing all reported disclosures regardless of the nature or gravity of the act. This means confronting unethical behaviour based on suspicion or observation with urgency and weight before it perpetuates itself (Uys & Senekal 2013:33). If such ethical behaviour is maintained in an organisation, all the challenges surrounding whistle-blowing would be obviated.

In a systemically corrupt organisation, whistle-blowing is perceived as a deviant act as it falls outside the behavioural norms of the organisation. Hence there is a need for a "paradigm shift" in the perceptions on whistle-blowing (Uys & Senekal 2013:33). This can be achieved by shifting the views on whistle-blowing particularly with regards to its essence as a concept. Whistle-blowing should be defined and understood to be an action stemming from an individual's desire to uphold ethical values and is thus a noble act. A spirit of whistle-blowing encourages disclosure of unethical conduct as it is an

act of "good deviance" which reinforces the values organisations uphold and specifically, the public sector. Whistle-blowing is beneficial not only to the organisation but also to the citizens of the state, which is the foundational duty of the public service. Thus, transformation from a whistlegenic to an ethogenic organisational culture is what the South African public sector should strive to achieve.

2.6   SUMMARY AND CONCLUSION

This chapter provided a theoretical framework for the primary variables of this study, namely organisational culture and whistle-blowing. Schein's organisational theory was used as a point of departure in explaining the meaning of organisational culture. It is clear that there are levels and variables that affect organisational culture, making it a complex aspect of the organisation. On the subject of whistle-blowing, De George's theory on whistle-blowing and the UDTW were discussed to further provide an analysis of the practical aspects of whistle-blowing. It was found that there are many paradoxes and challenges that arise with the process of whistle-blowing, particularly within the context of an organisation.

The subject of this study was then conceptualised into the field of public administration. The essence of the field of public administration was discussed, followed by the discipline of Public Administration. The role of organisational culture in public administration was provided, leading to an analysis of the challenge within the organisational culture of South Africa's public service, i.e. systemic corruption. The chapter also went further to address the issue of systemic corruption in the Gauteng Province. The province is battling corruption, as is the public sector as a whole. Systemic corruption is evidently the underlying problem necessitating a strong culture of whistle-blowing. The chapter provided the meaning of whistle-blowing and the steps in the process of whistle-blowing. Taking into cognisance the theories provided in the theoretical framework and the essence of organisational culture, systemic corruption and whistle-blowing, it is clear why whistle-blowing is such a complex phenomenon.

The chapter then provided some of the reasons why potential whistle-blowers choose to withhold information of misconduct rather than reporting it. Finally, the chapter discussed the difference between an ethogenic and a whistlegenic organisational culture. From the definitions, it is evident that any organisation, in this case, all

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organisations within the South African public sector, should strive to achieve an ethogenic organisational culture. The purpose of this study is to propose how such an organisational culture could be achieved.

CHAPTER THREE

LEGISLATION AND DOCUMENTS INFLUENCING DISCLOSURE AND WHISTLE-BLOWER PROTECTION IN SOUTH AFRICA

3.1   INTRODUCTION

According to Transparency International (2010:4), it is important for whistle-blowers to be protected from retaliation, especially within their organisations. As such, South Africa has various pieces of legislation encouraging the act of whistle-blowing and the necessity to protect individuals that make the decision to disclose unlawful behaviour in the workplace (Uys 2000:259). Legislation on whistle-blowing exists at both macro and micro levels, at a national level, trickling down to provincial legislation. Some documents also exist not as policy, but guiding documents on the ideal of how the processes of whistle-blowing should be carried out and the legislation upholding the rights and mandate to disclose maladministration and alleged wrongdoings.

This chapter of this research will discuss some of the main pieces of legislation encouraging the disclosure of alleged wrongdoing, namely the Constitution, the NDP and the Protected Disclosures Act, some of the shortcomings of the Protected Disclosures Act 26 of 2000 and the Protected Disclosures Amendment Act 5 of 2017 (PDAA). The Amendment Act will be examined in light of the guidelines for a "best practice" for whistle-blowing policies as set by Transparency International. This discussion will fulfil the second research objective of this study, which is to determine the effectiveness of whistle-blowing legislation to institutionalise whistle-blowing in the South African public sector. The legislation specific to the selected case will be discussed in a later chapter. Finally, this chapter will also provide and discuss selected cases of whistle-blowers in South Africa in highlighting the gaps between the policies and their implementation thereof.

3.2   CONSTITUTION OF SOUTH AFRICA

It is stated in the preamble of the Constitution of the Republic of South Africa (1996) that this piece of supreme law exists to "lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law". The Constitution provides for the duty of the South African

public service and the mandate of public servants to carry out their duties in an ethical manner. In the case of an occurrence of unethical behaviour, the Constitution does not directly provide for whistle-blowing and the protection of whistle-blowers. It does however provide for the manner in which all individuals at an organisational or individual level, should be treated, that is, being treated equally, whistle-blower or not and for one to be protected subsequent to blowing the whistle (Isparta 2014:50).

Chapter 10 of the Constitution (1996) outlines the principles and values governing public administration. Public administration is guided by the following principles:

(a) "A high standard of professional ethics must be promoted and maintained.

(b) Efficient, economic and effective use of resources must be promoted.

(c) Public administration must be development-oriented.

(d) Services must be provided impartially, fairly, equitably and without bias.

(e) People's needs must be responded to, and the public must be encouraged to participate in policy-making.

(f) Public administration must be accountable.

(g) Transparency must be fostered by providing the public with timely, accessible and accurate information.

(h) Good human-resource management and career-development practices, to maximise human potential, must be cultivated.

(i) Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation."

Chapter 10 of the 1996 Constitution provides an outline of the benchmark for the conduct that is to be modelled by all public servants at all levels of government. Thus, whistle-blowing should be an act that is promoted and protected at the highest level of the law. Whistle-blowing essentially promotes ethical behaviour and upholds the values of democracy, through the Constitution as public officials are held to account as is required by the supreme law, through disclosure of corrupt behaviour.

Although the Constitution does not explicitly provide for whistle-blowing, it does indirectly provide not only for the promotion of accountability and whistle-blowing, but

also the protection of whistle-blowers by virtue of being a citizen of South Africa. This protection is provided for in Chapter 2 of the Constitution, the Bill of Rights.

The Constitution provides for the following rights in Chapter 2 which are relevant to whistle-blowing:

Section 9 (1) states:

> "Everyone is equal before the law and has the right to equal protection and benefit of the law."

Section 10 states:

> "Everyone has inherent dignity and the right to have their dignity respected and protected."

Section 16 (1) (b) of the Constitution states:

> "Everyone has the right to freedom of expression which includes the freedom to receive or impart information."

Section 23 (1) determines that

> "Everyone has the right to fair labour practices."

Based on these provisions, it is apparent that the Constitution does provide for the protection of whistle-blowers as all people of South Africa should in fact be protected by the law. The provision made in Section 9 (1) of the Bill of Rights, stating that everyone should "benefit from the law" means that the laws or policies in place concerning whistle-blowing should benefit and protect all whistle-blowers. Provided that there are laws and policy requirements for whistle-blowing, Section 23 (1) also provides for the protection of whistle-blowers as public sector organisations are required to carry out labour practices fairly for the benefit of employees (South Africa 1996). This is to say that the law should protect whistle-blowers from retribution given that organisations are upholding the law through fair practices in the workplace.

As alluded to Section 16 (1) (b) provides for the right of "freedom to receive or impart information". According to Isparta (2014:50), whistle-blowing can be argued to be an exercise of this right to impartation of information. Finally, Section 10 of the Constitution (1996) highlights the respect and protection that must be extended to the "inherent dignity" of all humans. This means that all individuals in the workplace must not be subjected to any form of retribution because their human dignity must be

respected and is protected by the law. Thus ideally, individuals that choose to disclose any form of malpractice by public officials should be able to do so in full cognisance that the Constitution reinforces accountability and transparency and that they law provides for their protection. However, given that the Constitution does not directly provide for whistle-blowing, other pieces of legislation and policy specific to whistle-blowing were promulgated outlining the whistle-blowing policy requirements for organisations and also for the protection of whistle-blowers as retaliation is the norm in the organisational culture of the South African public service.

3.3   PROTECTED DISCLOSURES ACT

The Protected Disclosures Act 26 of 2000 was invoked on 01 August 2000. The Act was passed following the decision to find ways to enhance open governance in the South African government. The four aspects of governance to be established were included in what was known as the Open Democracy Bill and these were access to information, open government, whistle blowing and the right to privacy (Open Democracy Advice Centre 2014:9) (ODAC).

The Open Democracy Bill included the drafting of a bill for the protection of whistle-blowers in an attempt to combat corruption to result in a more open and ethical democratic government. The government made use of the Public Interest Disclosure Act (PIDA) of Britain as the conceptual foundation of the PDA and was adapted to fit the South African context (ODAC 2014:10). The main aim of the Open Democracy Bill was to "foster greater transparency, whistle-blowing and accountability in ALL sectors" and the PDA was one of the mechanisms to be implemented for the realisation of this goal (ODAC 2014:10).

The PDA was also founded on some of the values and rights provided in the Constitution of South Africa. The right to fair labour practices as stipulated in Section 23 of the Constitution provides a foundation for the existence of the PDA. (Isparta 2014:51). This is particularly because the PDA's provisions are specific to relationships within the workplace. Although the definition of what "fair labour practices" entails is not provided in any official legislation, the term is used on a case to case basis with regards to whistle-blowing and the PDA is enforced in this regard (Isparta 2014:51).

The preamble of the PDA makes mention of the Bill of Rights in the Constitution, which serves as the legislation on which the PDA is built and that human rights must be applied horizontally, to benefit all citizens at all levels of government and society (South Africa 2000:1). The preamble also states that South African statutory and common laws do not provide for instruments which employees, in both the public and private sectors, may utilise to make disclosures of alleged wrongdoing or criminal conduct by co-workers without fear of retribution. This is the basis of the existence of the PDA (South Africa 2000:2). As such, the objectives of the PDA are:

(1)   (a) "To protect an employee, whether in the private or the public sector, from being subjected to an occupational detriment on account of having made a protected disclosure.

(b) To provide for certain remedies in connection with any occupational detriment suffered on account of having made a protected disclosure.

(c) To provide for procedures in terms of which an employee can, in a responsible manner, disclose information regarding improprieties by his or her employer.

(2)   This Act applies to any protected disclosure made after the date on which this section comes into operation, irrespective of whether or not the impropriety concerned has occurred before or after the said date.

(3)   Any provision in a contract of employment or other agreement between an employer and an employee is void in so far as it;

(a) Rationales to exclude any provision of this Act, including an agreement to refrain from instituting or continuing any proceedings under this Act or any proceedings for breach of contract; or

(b) (i) purports to preclude the employee; or

(ii) Has the effect of discouraging the employee, from making a protected disclosure (South Africa 2000:3-4)."

These objectives were stipulated 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 and the responsible manner by providing comprehensive statutory guidelines for the disclosure of such

information and protection against any reprisal as a result of such disclosure" (South Africa 2000:2).

In the process the objectives would "promote the eradication of criminal and other irregular conduct in organs of state and private bodies" (South Africa 2000:1). These are the core purposes of the existence of the PDA in South Africa, for employees and employers to safely disclose information of unethical conduct following the guidelines provided in legislation for the sake of promoting a culture of disclosure, thereby creating a more ethical culture in which whistle-blowing is ingrained in the system.

It is important to note that the Protected Disclosures Act 26 of 2000 was amended in 2017, establishing the Protected Disclosures Amendment Act 5 of 2017. Although these changes (which will be discussed further on in the chapter) were made, the foundational values and objectives of the Disclosures Act remain true.

3.3.1 Important definitions in the PDA

The PDA provides definitions concerning the scope of protection and precisely what would qualify for a whistle-blower to receive protection and the various forms of consequences for whistle-blowing. These are defined under the terms "Protected Disclosure" and "Occupational Detriment".

3.3.1.1 Protected disclosure

The PDA only makes provision for "protected disclosures" and not for all disclosures. In accordance with the provisions made in sections 5, 6, 7, and 8, a protected disclosure is a disclosure made to a legal advisor, an employer or an individual procedurally authorised by the employer, a member of Cabinet or a member of a Provincial Executive Council, a specific body or individual stipulated in the Act such as the Public Protector and the Auditor-General respectively (South Africa 2000:45). Additionally, according to section 9 sub-section 1, an employee making a disclosure must have reasonable belief that the claim he or she is making is substantially true and should not be making the disclosure for personal gain. In sub-section 2, when the conditions in sub-section 1 are met, the employee's disclosure becomes protected when:

- The employee believes that he or she will suffer occupational detriment by making the disclosure to the employer

- The employee has reason to believe that the evidence of the alleged maladministration to be disclosed will be destroyed or concealed if the employee reports to the employer, in the case that there is no prescribed body according to section 8 of the PDA

- The employee previously disclosed a matter to the employer, or a body prescribed in section 8 and no action was taken following the disclosure within a reasonable period after the disclosure. In such a case, the recipient of the disclosure must consider the possible actions that the previous recipient may have taken and if any action was taken at all (Isparta 2014:75). Furthermore, if the previous disclosure was made to the employer, it is important to take into consideration whether or not the whistle-blower followed the correct procedures relevant to that organisation. Thus, a subsequent disclosure "may be regarded as a disclosure of substantially the same information…where such subsequent disclosure extends to information concerning an action taken or not taken by any person as a result of such previous disclosure" (Isparta 2014:75).

3.3.1.2 Occupational detriment

According to section 3 of the PDA, an employer should not subject an employee to occupational detriment after he or she has blown the whistle. In the working environment, occupational detriment refers to acts of retaliation against the whistle-blower such as:

- Disciplinary action

- Dismissal, suspension, harassment, intimidation or demotion

- Being transferred against the employee's will

- Refusal for the employee to transfer or be promoted

- Subjection of the employee to employment conditions that are disadvantageous to the employee

- Refusal of a reference or adverse reference from the employer

- Denial of appointment to any profession, office or employment

- Threats of any of the abovementioned actions, or

- Any form of effects on the employment of the whistle-blower, relating to his or her work security or opportunities in the workplace.

According to McGregor (2007:160), for an unfair or wrongful labour practice to be classified as occupational detriment, three conditions must be met:
- A disclosure needs to have been made by the employee in line with the requirements provided for in the PDA
- There needs to have been negative action against the relevant whistle-blower from his or her employer
- A direct linkage between the alleged occupational detriment and the disclosure must exist.

As established in the literature review, employees in the public sector experience occupational detriment following disclosure. Although this was provided for in the PDA, the Act still contained some shortcomings resulting in its amendment in 2017.

The PDA also stipulates that all protected disclosures must be made in good faith for protection to be afforded to the disclosure. There is no provision for a protected disclosure to be made in good faith only if it is to a legal practitioner according to section 5 of the PDA (South Africa 2000:8). The PDA does not provide a clear meaning of what good faith entails, however, good faith can in simple terms be defined as honesty going beyond reasonable belief. Good faith pertains to "justice, reasonableness and fairness (*Barkhuizen v Napier* 2007 in Isparta 2014:55). Whistle-blowers who make disclosures in good faith will therefore be afforded justice and be treated with fairness and protected from occupational detriment if the disclosure is made in good faith.

3.4   AMENDMENTS TO THE PROTECTED DISCLOSURES ACT

In light of the various shortcomings and recommendations made by different bodies, the PDA was amended in 2017 to include a number of the recommendations suggested. One of the shortcomings of the PDA highlighted in the NDP was that according to the PDA, when a whistle-blower is implicated in a reported impropriety made in good faith, there is no clarity on the possibility of the whistle-blower being pardoned for his or her role in the impropriety in question (NPC 2012:450). When

amnesty is not guaranteed, potential whistle-blowers prefer to remain silent. Additionally, the PDA did not guarantee confidentiality of the identity of the whistle-blower. This confidentiality is a necessity in order for the whistle-blower to be protected from potential retaliation (NPC 2012:450). These shortcomings unfortunately remain true of the PDAA of 2017.

Cliff Dekker Hofmeyr (CDH), a law firm in South Africa, published a comprehensive article discussing the amendments made through the Protected Disclosures Amendment Act 5 of 2017. Another shortcoming of the PDA of 2000 was that certain definitions of concepts were not comprehensive and these were amended in 2017. The NPC in the NDP critiqued the PDA arguing that it had a narrow scope of protection. Protection was only provided for cases where there is occupational detriment, meaning that the Act only applied to individuals in a formal workplace employment where an employer and employee relationship exists (NPC 2012:450). Essentially, no other external parties, for instance temporarily outsourced employees for an organisation, would be afforded protection.

The Amendment Act of 2017, under each provision which includes the term "employee", the terms "worker" and "temporary employment service" were added to encompass agents, consultants and independent contractors in section 1 of the PDAA (CDH 2017:2). Protected disclosures (as discussed in section 3.3.1.1) are thus extended to all of these individuals. In addition, the actions falling under the term "occupational detriment" (in section 3.3.1.2) were extended to include when there is an allegation of an employee or worker breaching a confidentiality clause or agreement stemming from the relevant disclosure of an impropriety, and is faced with a civil claim following this exposure. This is also a form of occupational detriment, according to the PDAA (CDH 2017:2).

A whistle-blowing policy must be part of a company's suite of anti-fraud and corruption policies, aiming to promote and maintain a culture of non-tolerance of unethical behaviour and irregularities, disclosing any knowledge of unethical conduct and necessary action may be taken thereafter (CDH 2017:3). As such, the PDA was also amended to place obligations on the employers in ensuring that whistle-blower policies

are not only established but also implemented. Section 6 of the PDA was substituted in the Amendment Act, subsection 2 (a)(i) and (a)(ii), to state that:

(2) *(a)* Every *employer* must—

(i) authorise appropriate internal procedures for receiving and dealing with information about *improprieties*; and

(ii) take reasonable steps to bring the internal procedures to the attention of every *employee* and *worker*.

Essentially, it is the duty of the employer to ensure that whistle-blowing policies are created, comprehended and propagated by all employees or workers of that organisation. Ultimately, employees should have the liberty to exercise the guidelines or provisions of the organisation's whistle-blowing policies without fear of reprisal.

In the PDAA, Section 3B was added to make provision for a time frame in which the recipient of a disclosure must report back to the whistle-blower on whether or not the reported disclosure will be investigated or not and where possible, the time period required for the completion of the investigation. The whistle-blower must be informed of this within a period of 21 days. In cases where the employer or body is unable to make a decision of whether or not to investigate the disclosure, according to Section 3B, subsection (3)(a)(i) and (3)(a)(ii) "the person or body … who is unable to decide within 21 days whether a matter should be investigated or not, must—

(a) in writing inform the *employee* or *worker*—

(i) that he, she or it is unable to take the decision within 21 days; and

(ii) on a regular basis, at intervals of not more than two months at a time, that the decision is still pending.

Another amendment made to the PDA is that of false disclosures. The Amendment Act states that any false disclosure made with the aim of harming another employee's reputation will be deemed a criminal offence (CDH 2017:4). The perpetrator in this case will either be imprisoned or receive a severe fine. This provision encourages all disclosures made to be in good faith.

The PDAA also makes a new provision in Section 9A subsection 1b stating that an employee will not be subjected to a criminal, disciplinary or civil action for making a

disclosure which is "prohibited by any other law, oath, contract, practice or agreement requiring him or her to maintain confidentiality or otherwise restricting the disclosure of the information with respect to a matter" (South Africa 2017:8). The application of the new provision occurs when the whistle-blower has full knowledge of an impropriety that has taken place or is likely to take place, or if there has been a clear infringement against the law or it is likely to occur.

Another shortcoming outlined in the NDP concerning the PDA was that according to section 8 of the PDA, external disclosures were only to be made to the Public Protector and the Auditor-General, which is a very narrow range of individuals to whom disclosures may be made. The scope of bodies to make disclosures to was extended to include the Chapter 9 institutions of the Constitution such as the South African Human Rights Commission, the Commission for Gender Equality, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities and the Public Service Commission (South Africa 2017:7).

3.5   NATIONAL DEVELOPMENT PLAN

The National Development Plan was developed by the NPC in 2011, and launched in 2012. It is a detailed plan for the development goals South Africa desires to achieve by the year 2030. The main aim of the NDP is to create a South Africa where "everyone feels free yet bounded to others … a country where opportunity is determined not by birth, but by ability, education and hard work" (NPC 2012:24). The South African economy must also grow exponentially in order for inequality and poverty to be significantly reduced by 2030. According to Chapter 14 of the NDP, one of the determining factors of the attainment of this goal is the fight against corruption.

The NDP highlights the challenges the country was facing in 2012, and continues to face seven years later. Corruption "undermines good governance", and as such, the country is in need of anti-corruption strategies that promote accountability and transparency and also effectively protect whistle-blowers (NPC 2012:444). When the whistle-blower is protected, this fosters a culture in which wrongdoing is exposed when it occurs and this creates an environment conducive to whistle-blowing to become institutionalised.

3.6 SUSTAINABLE DEVELOPMENT GOALS (SDGs)

In 2015, member states of the United Nations (UN), including South Africa, adopted the 2030 Agenda for Sustainable Development outlining 17 areas of focus for global development. These are strategies to mitigate global challenges such as poverty, poor health systems, inequality and economic challenges (United Nations 2015). Goal number 16 is to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels" (United Nations 2015). Some of the targets under this SDG are to "promote the rule of law at the national and international levels and ensure equal access to justice for all; substantially reduce corruption and bribery in all their forms; develop effective, accountable and transparent institutions at all levels; and ensure responsive, inclusive, participatory and representative decision-making at all levels" (United Nations 2015).

In the efforts to reduce corruption and promote transparency and accountability in institutions, whistle-blowing plays a vital role in bringing corruption to light. Moreover, in order to achieve access to justice and develop effective institutions that function effectively, responsiveness to disclosures is a necessity. If there is any possibility of South Africa playing a role in the success and achievement of SDG 16, it is imperative for the public sector to be transformed to create an ethogenic organisational culture through institutionalising whistle-blowing.

3.7   GUIDELINES FOR CREATING WHISTLE-BLOWING POLICIES

According to Dehn (in Holtzhausen 2013:67), a whistle-blowing policy should be understandable and have guidelines and provisions that the organisation will be able to carry out. A policy must present a broad overview of the whistle-blowing culture of an organisation, providing the specifics of the mechanisms that will be undertaken in achieving the main goal of the policy, to promote a culture of whistle-blowing (Holtzhausen 2013:67). Various internationally recognised documents providing the guidelines for whistle-blower policy have been published, but for the purpose of this study the Transparency International guidelines will be used as they are holistic and comprehensive and were developed by a reputable body that has rated South Africa's whistle-blower policy.

3.7.1 Best practice guidelines for whistle-blower policies

Transparency International published a document titled "International Principles for whistle-blower legislation: Best practices for laws to protect whistle-blowers and support whistle-blowing in the public interest". The document provides what Transparency International regards as the "best practice" or ideal guidelines that an effective, well-developed piece of whistle-blower protection should encompass. The preamble of the document mentions the retaliation whistle-blowers experience in the form of blacklisting, being sued, fired, threatened or even murdered (Transparency International 2018:2). As such, the protection of whistle-blowers must constantly be enhanced and improved in order to promote the exposure of improprieties. All citizens have the right to disclose any form of wrongdoing they may witness as an exercise of their right to freedom of expression, thus promoting transparency and accountability (Transparency International 2018:2). However, when whistle-blower protection policies do not do enough to protect the whistle-blowers, most will opt to remain silent in order to protect themselves.

The principles outlined in the document established by Transparency International were refined and updated in 2013 and 2018 subsequent to the initial document in 2009. The 2018 Transparency International document provides comprehensive definitions of important terms in the whistle-blowing context such as whistle-blowing and whistle-blower. The broader meaning of a whistle-blower is an individual who reports misconduct that has occurred or is likely to occur and "is at risk of retribution" (Transparency International 2018:4). This is the extended meaning of the term in this section. The guidelines to be provided for in whistle-blower legislation as stipulated by Transparency International are as follows:

1) *Protected individuals and disclosures:* All employees and workers in the public and private sectors need:
   a) Reachable and effective channels to disclose misconduct
   b) Strong protection from any form of retribution
   c) Disclosure mechanisms which encourage necessary reforms to change any inadequacies in policies, legislations for improvement to avoid further wrongdoing.

2) *Broad definition of whistle-blowing*: The disclosure of improprieties "including but not limited to corruption; criminal offences; breaches of legal obligation; miscarriages of justice; specific dangers to public health, safety or the environment; abuse of authority; unauthorised use of public funds or property; gross waste or mismanagement; conflict of interest; and acts to cover up of any of these." This is a comprehensive definition which should underpin legislation.

3) *Broad definition of whistle-blower*: An employee in the private or public sector who reports any of the forms of maladministration given above and faces the risk of retaliation. The term includes individuals that may not necessarily be fully or formally employed by the relevant organisation, beyond the traditional employer-employee relationship. It refers to volunteers, interns, independent consultants, previous employees, contractors, trainees and temporary workers. All of these should be provided with protection in whistle-blower protection legislation.

4) *Threshold for whistle-blower protection "reasonable belief for wrongdoing"*: Protection must be provided where the whistle-blower makes a disclosure reasonably believing that the information being disclosed is correct and true at the time the disclosure is made. Individuals who make false disclosures as an honest mistake must also be extended protection.

5) *Protection from retribution*: Whistle-blowers must receive protection from any form of retaliation, or facing discrimination or being disadvantaged in the workplace following a disclosure. Retaliation can be in the form of harassment, reduction of hours, denial of promotion, transfers, loss of benefits, loss of status, or being threatened with any of these actions.

6) *Preservation of confidentiality*: The whistle-blower's identity must not be exposed without the consent of the whistle-blower.

7) *Burden of proof on employer*: If any form of action which may be deemed as retaliation is taken against the employee, to prevent penalties, an employer must convince the relevant parties that the actions taken against the employee are in no manner related to or do not stem from the disclosure made.

8) *Knowingly false disclosures not protected*: A whistle-blower who makes a false disclosure knowingly will face civil liability or employment sanctions.

9) *Waiver of liability*: Disclosures that are made within whistle-blowing legislative scope should not be subject to disciplinary proceedings including cases involving data protection and copyright. Provision of proof that the whistle-blower intended to break the law by making the disclosure must be given by the accused.

10) *Right to refuse participation in wrongdoing*: Workers and employees have a right to refuse to take part in any improprieties. They may be protected against any form of retaliation when this right is exercised.

11) *Preservation of rights*: All agreements or rules made in the workplace that obstruct or betray whistle-blower protections are invalid. The rights of whistle-blowers take precedence over any oaths of confidentiality or loyalty made between the employee/worker and the employer.

12) *Anonymity*: Whistle-blowers whose identities are discovered without their consent after making anonymous disclosures must be granted protection.

13) *Personal protection*: Whistle-blowers (and their family members) whose safety or lives are in danger following a disclosure must be provided with personal protection. There must be funds explicitly for such cases.

14) *Reporting within the workplace*: Whistle-blower policies in the workplace must be visible and comprehensible. Anonymity and confidentiality must always be maintained by the relevant recipient of the disclosure unless permission to disclose the identity is granted by the whistle-blower. Thorough, timeous and unbiased investigations of disclosures must take place. There should be transparent mechanisms in place to detect and follow up on possible retaliation faced by the whistle-blower (along with procedures to discipline individuals involved in the retribution).

15) *Reporting to regulators and authorities*: If an employee/worker has challenges making it impossible to make a disclosure in the workplace, disclosures may be made to specified external regulatory individuals or bodies. These include law enforcement authorities, regulatory authorities, special agencies and elected or appointed officials.

16) *Reporting to external parties:* Where the action to be disclosed is proving to be a threat to the citizenry or the environment or has been disclosed previously but was not followed through, individuals may opt for disclosing the impropriety

to an external party such as civic organisations, media, professional organisations nor trade unions.

17) *Disclosure and advice tools*: Disclosure instruments and channels must be made available to employees and workers particularly in government organisations and companies trading publicly. These instruments may be hotlines, advice lines or compliance offices. These must ensure confidential and safe disclosures.

18) *National security/official secrets*: Disclosures relating to national security, military or classified matters must be carried out following special guidelines given the sensitivity of the information being disclosed. This allows for internal follow-ups and avoids potential exposure. Disclosures should mainly be made using internal channels, and then independent oversight bodies that are not affiliated with state security bodies. External disclosure to the media for instance is justifiable only in extremely urgent cases where the disclosed act is a grave threat to the public and its safety or if evidence of impropriety would be destroyed if internal channels were used.

19) *Full range of remedies*: There must be a significant number of remedies afforded to the whistle-blower in cases of retaliation. These include assistance with legal fees, compensation for possible loss of earnings, compensation for emotional suffering and transfer to a different department or change of supervisor. Funding for legal fees of whistle-blowers is a necessity.

20) *Fair hearing (genuine "day in court")*: Whistle-blowers whose whistle-blower rights are violated have the right to have a fair hearing. The verdict must be timely.

21) *Whistle-blower participation*: Whistle-blowers should be afforded the opportunity to give input in the investigation process. Although it is not a requirement, whistle-blowers may also may provide clarity on the disclosure or provide further proof of maladministration if it is available. They must be informed of the findings from the investigation and may provide a review on the findings.

22) *Reward systems*: Where possible, whistle-blowers may be given a reward (financial or otherwise) from the recovered funds or fines following the disclosure. They may also be rewarded by being recognised publicly or receiving an award, a promotion or apology for any retaliation experienced.

23) *Dedicated legislation*: It is important for one piece of legislation to exist for the sake of clarity and easier application.

24) *Publication of data*: The authority on whistle-blowing should publish (annually for instance) information of the functionality of whistle-blower regulations and their efficiency. Information published may include the number of cases reported, the relevant outcomes of these cases, recoveries and rewards (keeping confidentiality where required) and the general frequency of wrongdoing in the workplace.

25) *Involvement of multiple actors*: The processes of creating, developing and evaluating of whistle-blower policies should involve all important stakeholders such as employers or employer associations, employees in organisations, academics and civil society.

26) *Whistle-blower training*: All government agencies' staff and management must receive adequate training on whistle-blower policies. These policies must be provided in the workplace and be visible to all staff.

27) *Whistle-blower complaints authority*: A single independent body must be in place to carry out investigations on miscarried investigations of disclosures and cases of retaliation. The body/agency can provide recommendations that are binding and forward the case to a prosecuting or regulatory body. The agency should offer support, advice, monitoring and evaluation of whistle-blower policies and encourage the public to blow the whistle on corruption by alerting them of the necessity and provisions for protection.

28) *Penalties for retaliation and interference*: Any individuals who retaliate against a whistle-blower or interfere with a case or evidence of a case that is disclosed must be subjected to civil penalties.

29) *Follow-up and reforms:* Disclosures made in good faith and found to be true must be forwarded to the relevant regulatory bodies for corrective measures and policy changes to be made where necessary.

This particular document serves as a means to provide general 'best practice' guidelines for whistle-blowing policies. Countries must then adapt these guidelines to fit into their various cultures and political landscapes. The Protected Disclosures Amendment Act provides for several of the guidelines listed by Transparency

International as tabulated below. Some of the prescriptions given in the document are not mentioned in the PDAA and this is reflected in Table 3.1.

Table 3.1: Transparency International Guidelines for whistle-blower policies vis-à-vis the Protected Disclosures Amendment Act of 2017

Transparency International Guideline	South African Protected Disclosures Act of 2017
1. Protected individuals and disclosures	Provided for both public and private sector. Inclusive of relationship beyond employer and employee *(Section 1a and 2a)*
2. Broad definition of whistle-blowing	-
3. Broad definition of whistle-blower	-
4. Threshold for whistle-blower protection	Provision for disclosures in good faith *(Section 6).* No provision for disclosures made in error.
5. Protection from retribution	Protection from occupational detriment *(Section 5 b)*
6. Preservation of confidentiality	-
7. Burden of proof on employer	-
8. Knowingly false disclosures not protected	False disclosures face criminal charges *(Section 10 (9b))*
9. Waiver of liability	*Section 10 (9a)*
10. Right to refuse participation in wrongdoing	-
11. Preservation of rights	*Section 10 (9a) (b)*
12. Anonymity	-
13. Personal protection	Protection provided but "personal protection" not specified *(Section 1)*
14. Reporting within the workplace	*Section 6 (2i)*
15. Reporting to regulators and authorities	Provision made for disclosure to Chapter Nine institutions where necessary.
16. Reporting to external parties	Provision made for disclosures to specified bodies *(Section 8)*
17. Disclosure and advice tools	-
18. National security/official secrets	-

19. Full range of remedies	Provision made for some remedies. Not specified *(Section 2a) (1b)*
20. Fair hearing	Provision made to approach the courts *(Section 5b) (1a)*
21. Whistle-blower participation	-
22. Reward systems	No specified provision for reward systems but compensation from employer where appropriate.
23. Dedicated legislation	PDAA serves as the main whistle-blowing Act but other pieces of legislation make further provisions.
24. Publication of data	-
25. Involvement of multiple actors	Not specified in the PDAA but legislative procedures involve multiple stakeholders.
26. Whistle-blower training	Provision for employers to ensure employees are well-acquainted with the legislation *(Section 11 (4c))*. No specification on training method.
27. Whistle-blower complaints authority	-
28. Penalties for retribution and interference	No explicit provision. Provision made for employer to "take steps to remedy the occupational detriment" *(Section 5b) (1B) (c)*
29. Follow-up and reforms	*Section 4 (3b) (a ii)*

Source: Author's own interpretation from the South African Protected Disclosures Amendment Act 5 of 2017 and Transparency International Guidelines for whistle-blower policies (2018)
Key: - (*means NOT SPECIFIED by the South African Protected Disclosures Amendment Act 5 of 2017*)

The PDAA does not make provision for all the guidelines stipulated by Transparency International as reflected in Table 3.1. Some notable guidelines which are not provided for in the PDAA are guidelines 23, 24, 27. Guideline 23 as shown in the Table 3.1 is provided for to some extent because the PDAA is the primary Act existing on whistle-blowing in South Africa. However, whistle-blowing processes are also provided for by other pieces of legislation such as the Labour Relations Act of 1995, the Prevention and Combating of Corrupt Activities Act 12 of 2004, the Witness Protection Act 112 of

1998, the Protection against Harassment Act of 2011 (PAHA) and the Companies Act of 2008 (Thakur 2018). The PAHA provides for personal protection and this extends to whistle-blowers. Essentially, whistle-blowing and its protections' provisions are not all provided for in one document alone. This may prove to be a challenge in terms of the application of the policies as the provisions are not centralised. In addition, in the application of the Witness Protection Act, for example, a whistle-blower may not necessarily qualify to be a "witness" but be in greater danger than an individual qualifying as a "witness" (Thakur 2018). As such, the application of the Act, although encompassing whistle-blowers, will not always be beneficial to the whistle-blower.

Given that there is no single whistle-blower complaints authority in South Africa, there is no specific mandate on one specific body to publish data on whistle-blowing. Various bodies receiving whistle-blower complaints such as the Public Protector, the Auditor-General and Corruption Watch, for example, do annually publish reports including information on whistle-blowing. This paints a picture of the state of whistle-blowing in South Africa, but the image is not necessarily a holistic one. In some cases, the details concerning whistle-blowing cases may not necessarily be specified. For example, concerning the Public Protector's annual report of 2017/2018, there is not much detail provided on the whistle-blowing cases made in that annual period. The Public Protector does publish cases that are investigated, but there is no broad overview of the total number of disclosures made to the office.

Similarly, the Auditor-General's latest annual report does not provide information on the number of disclosures made to the office. The Public Service Commission's (PSC) annual report gives information of the whistle-blowing cases disclosed to the Commission through one of its anti-corruption mechanisms, the National Anti-Corruption Hotline (NACH). The Commission received 882 reports through the NACH in the 2017/2018 financial year (PSC 2018:27). A total of 878 of these reported cases were referred to various relevant national and provincial departments (PSC 2018:27). Although some of these cases may have been resolved or successfully closed, challenges may arise if systemic corruption exists in the departments to which the cases are referred. An independent watchdog body such as Corruption Watch dealing specifically with fraud and corruption and the disclosures thereafter publishes annual reports detailing the disclosures received and the form of impropriety committed in the

disclosures made. For instance, the 2017 annual report by Corruption Watch provides information on the number of disclosures made (5334) and further, the percentage of disclosures from each province and the specifications of each reported act, such as fraud, bribery, misappropriation of funds and so forth (Corruption Watch 2017).

One could argue that the Public Protector or the Auditor-General have a wider scope of duties as constitutional bodies compared to Corruption Watch for instance. As a result, disclosures are scattered. This further necessitates the existence of a single whistle-blowing authority for centralisation, specificity and consistency.

The Public Service Commission published a document to assist managers in the public sector with regards to whistle-blower policies, titled "A Guide for Public Sector Managers Promoting Public Sector Accountability Implementing the Protected Disclosures Act". Section 3 of the document provides ten points to be taken into consideration when putting into place a whistle-blower policy:

1. Through consultation it must be made clear to all staff at all organisational levels that it is encouraged and safe to report wrongdoing where it is witnessed. Upon consensus, a policy must be written.

   (This must be done not out of mandate, but in practice, as a true reflection of the organisation's values and practices.)

2. Procedures in making disclosures must be reviewed. If they do not exist, consultation must take place to establish these procedures. It must be taken into cognisance that if employees have reason to believe that they will face retaliation after disclosure, they may make external disclosures after the internal procedures have been exhausted.

   (This is usually the case where internal structures are entangled in systemic corruption. External disclosures are more likely to yield results.)

3. When a disclosure has been made, action must be taken within a reasonable time frame in response to the alleged impropriety. Focus must be on the impropriety and not the whistle-blower. This was provided for in the PDAA.

4. In instances where a disclosure is made, the manager must take the necessary steps to ensure that the whistle-blower does not experience any form of victimisation for making the disclosure. It is difficult to investigate cases of

anonymous whistle-blowers, but the identity of the whistle-blower must be protected and managers must maintain confidentiality.

5. Any confidentiality clauses in employment contracts must be revisited.
   (This is to ensure that all aspects of confidential information are contractually provided for and to ensure that employees are still maintaining confidentiality.)

6. Within the organisation, a senior official to whom reports of misconduct may be made must exist. The appointed official should be willing and able to take action where the immediate line supervisor is unable to do so.
   (This is likely to yield results when/if the appointee is not involved in any maladministration at the upper management level.) Stories of successful disclosures must be publicised and celebrated.
   (Stories of retaliation perpetuate the stigma and fear of whistle-blowing.)

7. Managers must be fully aware of the actions that should be taken in response to a disclosure. They must also know that it is the duty and right of the employee to report wrongdoing.

8. Where necessary, an independent advice centre may be established to advise and assist employees on the functionality of the whistleblowing policies.

9. A whistle-blowing policy should be established and implemented.

Government departments are required to have whistle-blower policies in place, as does the GPG, which will be discussed in the next chapter. In a sector where corruption is the norm, the existence of ethics and whistle-blowing policies becomes futile. Although the policies and guidelines are provided, they need to be fully practised, not only through managers writing and reviewing policies or appointing ethics officers for compliance purposes. Managers must fully value and practise whistle-blowing so that it trickles down to the rest of the employees and becomes ingrained as an internal control mechanism benefitting the organisation.

3.8   PARADOX OF GOOD POLICIES AND BAD PROTECTION

Despite the shortcomings discussed in the previous section, South Africa's PDAA is said to be one of the best policies globally. According to Groenewald (2015), South Africa received the highest ranking from DLA Piper (a law firm) for whistle-blower protections provisions in the PDAA. This means that South Africa's policy surpasses those of France, Germany and Australia and is at the same level as the policies of

China and the USA (Groenewald 2015). According to the OECD (2013:86), "enshrining whistle-blowing protection in legislation legitimises and structures the mechanisms under which public sector employees can disclose wrongdoings". However, legitimacy does not guarantee functionality, as seen in the case of South Africa.

Although South Africa's policy is said to be a benchmark for whistle-blower policy, the 2013 South African Business Ethics Survey reflected that 65.2% of staff members that had any knowledge of or had witnessed any form of fraud or corruption preferred not to disclose it as they feared retaliation (Groenewald 2015). In addition, the 2018 Global Economic Crime and Fraud Survey found that the economic crimes rate was 77%, while the global average is 49% (PWC 2018:8). Higher corruption rates reflect a critical need for, and should result in, an increase in the number of disclosures made, but this can only be possible when employees are aware of the protections afforded to them and when the protection is implemented. When whistle-blower policies are well-implemented, whistle-blowing becomes a very effective anti-corruption mechanism, exposing any fraud and corruption in the public sector (European Commission 2018). When improperly applied, whistle-blowing becomes a burden on the whistle-blower.

3.8.1 Recent whistle-blower cases

In an article published by Groenewald (2018) of the Ethics Institute, she maintains that whistle-blowers should be shown gratitude and be seen as heroes for putting the country's needs before their personal safety. Unfortunately, the lives of several whistle-blowers have taken a drastic turnaround following their disclosures. A few of the examples will be discussed.

3.8.1.1 Mosilo Mothepu

Mosilo Mothepu served as the Chief Executive Officer (CEO) of Trillian Financial Advisory, a branch of Trillian Capital. The owner of the firm, Salim Essa, was a colleague of the Gupta family which allegedly gained great financial traction from its relationship with former President Jacob Zuma (PPLAAF 2018). Mothepu revealed in 2016 that Trillian had received R565 million from Eskom for financial services, and that the transaction had taken place yet no services were rendered to Eskom (Merten 2017). In addition, Mothepu testified that the CEO of Trillian Capital, Eric Wood, was

that Wood had received financial gain from this information (Merten 2017). Upon discovering this information, Mothepu disclosed to the former Public Protector, Thuli Madonsela, despite fearing defamation of her character and legal repercussions. She testified before the South African Parliament.

Subsequent to the disclosure, Trillian charged Mothepu with several crimes, e.g. cyber-crime, breach of confidentiality, fraud and corruption (Merten 2017). Mothepu received financial and legal assistance from the Platform to Protect Whistle-blowers in Africa (PPLAAF). In an interview, Mothepu revealed that she had faced investigation for 16 months and in that period, had spent approximately R1.3 million (1.3 million South African rands) on her legal fees while being unemployed for two full years (Nicolson 2020). She shared the information that she and other 'State Capture' whistle-blowers were seen as 'lepers' whom no organisation was willing to employ as they were seen as a 'political risk'. These are some of the repercussions of whistle-blowing in South Africa.

3.8.1.2 Bianca Goodson

From 2015, Bianca Goodson served as the CEO of Trillian Management Consulting, another subsidiary of Trillian Capital. Goodson exposed that her organisation used her as a pawn to facilitate improper financial transactions going in and out of Trillian (Cronje 2017). She revealed that the work outlined on her job description was never requested of her. Goodson testified that she was merely a conduit who did not contribute to any of the financial decisions made in the company (Cronje 2017). She maintained about her tenure at Trillian that it was "the most disempowering that I have experienced in my career" as she was merely expected to "execute instructions" (Cronje 2017).

Goodson disclosed that Trillian Capital was making improper financial gains through enabling multinational organisations, i.e. Oliver Wyman and McKinsey, to gain access to some of the country's decision-makers (Comrie 2017). This was facilitated through the relationship of the CEO of Trillian Capital with the Gupta family and 'captured' government officials. In return, Trillian was to receive the contractual fees from state-owned entities (SOEs). Other consulting firms that sought involvement with SOEs in

South Africa needed to form a partnership with Trillian Capital and be willing to give the company up to half of the contract (Comrie 2017). Essentially, Trillian did not actually provide any consultancy services to any of the SOEs, but it secured contracts with the SOEs through improper relations and proffered the work to large international companies while receiving half of the contractual fees.

Following the disclosure, Goodson expressed that she was living her life in fear and highlighted the loneliness and neglect that comes with making a disclosure. She also testified to the emotional strain that came with the process of whistle-blowing and that her marriage also took strain in that period, resulting in divorce and nearly suicide, while being informed that her life was in danger (Nicolson 2017). Hence whistle-blowers certainly live in fear, even without encountering any actual physical threat.

3.8.1.3 Sindiso Magaqa and Thabiso Zulu

In July 2017, Sindiso Magaqa the former secretary general of the African National Congress (ANC) Youth League and municipal councillor was murdered, allegedly for his attempts to disclose pervasive corruption in the Umzimkhulu Local Municipality which falls under the Harry Gwala District Municipality in the Kwazulu-Natal Province (Harper 2017). Magaqa had allegedly blown the whistle, prior to the attack, on the maladministration and nepotism that had taken place in the process of upgrading the Umzimkhulu Memorial Hall because the paid contractor was a relative of a council member (Harper 2017). The preliminary budget reportedly significantly increased from R4 million to R37 million (Harper 2017).

Following the murder of Magaqa, his friend and colleague,Thabiso Zulu, blew the whistle, alleging that Magaqa had been murdered as a result of his disclosures on corruption in the municipality and most recently prior to his murder, the upgrade of the memorial hall. The Public Protector's acting spokesperson, Oupa Segalwe, asserted that Zulu and another whistle-blower, Stuta, were still living their lives on the run (Africa News Agency 2019). Zulu continues to receive threats to his safety and says that at one point, he found evidence that an individual had been waiting for him at his residence while he was not at home. He has had to employ a personal bodyguard whom he pays for himself following receipt of multiple death threats (Africa News Agency 2019).

Zulu is an example of a whistle-blower who made a disclosure outside the confines of the relationship between an organisation and the employee/worker that are provided for in the PDAA. However, this does not discount that his protection was and still is a necessity. A major cause for concern is that Zulu made a disclosure concerning the extreme retaliation towards another whistle-blower, however, instead of the system swiftly working to avoid a reoccurrence of Magaqa's experience, the system has failed to protect these whistle-blowers. The threats posed to Zulu provide sufficient proof that there are evidently some forms of impropriety which some officials within the government do not want to be disclosed, and that significant efforts must be made to protect whistle-blowers. According to Gabriella Razzano, the Director of Open Democracy Advice Centre (ODAC), 159 political assassinations were recorded in 2017 and some of the victims, such as Magaqa, were whistle-blowers (Nicolson 2018).

Whistle-blowers such as Mothepu and Goodson, amongst several other South African whistle-blowers, chose to make disclosures to PPLAAF. PPLAAF is an organisation and platform that assists whistle-blowers through defending them and also assists to "strategically litigate and advocate on their behalf where their disclosures speak to the public interest of African citizens" (PPLAAF). The fact of whistle-blowers choosing to make disclosures to platforms such as PPLAAF reflects and implies a lack of efficiency or dependability on the whistle-blower protection channels of South Africa.

Mothepu and Goodson's disclosures were both made in relation to "State Capture" in South Africa under the Zuma administration. According to PPLAAF (2018), State Capture

> … "is more than simple corruption. It is the pillage of national companies and institutions, corrupting the people of power, as well as changing the country's laws so they would all work in the private interest's interest."

This is the highest level of exposed corruption in South Africa as it involved officials in the highest offices of government. When corruption occurs at this level, it is likely to trickle down to the lower levels of government, as seen in the Umzimkhulu Local Municipality. This shows the systemic nature of corruption and that whistle-blowers can face retaliation at any level of government.

Given these examples, it is important to note that following the procedures stipulated in policy becomes very difficult in a system where corruption is rampant and whistle-blowing is viewed as disloyalty to the prevalent functionalities of the system. Consequently, it is almost impossible to make use of internal procedures for disclosures. In the three cases provided in this section, making internal disclosures would have been of great risk to the whistle-blowers. As reflected in the cases and several other reported cases, it seems that whistle-blowers make external disclosures in the hopes that action will actually be taken and that they will be protected.

3.9 SUMMARY AND CONCLUSION

As discussed, South Africa is said to have one of the best whistle-blower policies globally. However, evidence shows that systemic corruption is working against the practical functionality of PDAA. It is apparent that there exists a wide gap between policy and implementation. South African whistle-blowers, particularly in the public sector, are constantly facing great risk and evidently, the existence of legislation that protects whistle-blowers on paper does not guarantee their protection in practice. The whistle-blowers that have been attacked, threatened, harassed, isolated, brutalised, suspended or fired and murdered are evidence of this. Essentially, the policy has become a toothless dog.

The environment and the system in which potential whistle-blowers serve or operate is not conducive for them to carry out their mandate for public administration as per Section 195 of the Constitution, and just simply doing the right thing as they fear reprisals and corruption is the order of the day. The stigma concerning whistle-blowing exists not only because of a misconception of the term, but also because the experiences of whistle-blowers, which have been witnessed by other employees, have made silence the more appealing option as opposed to disclosure. It is clear that amendments to policies, as implemented by the PDA, may bring improvements to the procedural aspects of whistle-blowing and extend certain provisions. However, it is evident that the challenge with the South African public sector does not relate to policy, but rather to organisational culture. As asserted by Razzano, "Whistle-blowers are an indication that our internal systems are broken" (in Magubane 2018).

CHAPTER FOUR
THE CASE: GAUTENG PROVINCE

4.1   INTRODUCTION

The previous chapter presented the various policies regarding whistle-blowing in South Africa. As discussed in Chapter 3, there are some essential points to bear in mind when reporting misconduct as provided by Transparency International. Having understood the national whistle-blower policy and its shortcomings, it is paramount to then focus on the policies within the provinces and examine the operationalisation of whistle-blowing in the provinces and its application. As established in the previous chapter, legislation plays an important role in the practical functionality of whistle-blowing but it is not always enough to protect whistle-blowers and encourage them to report corruption. In the light of this, it is important to explore the empirical evidence concerning whistle-blowing, thus shifting the focus to the area of study, the Gauteng Provincial Government departments.

As alluded to in previous chapters, Gauteng Province is not lacking in ethics and a whistle-blowing policy. Several of the policies, i.e. the Integrity Management Framework, the Anti-corruption Strategy as well as the Whistle-blowing Policy all have provisions for making disclosures. This chapter aims to provide a contextual background which will serve as a foundation for the findings from the data collection process. The chapter provides an overview of Gauteng Province as a whole and subsequently, the vision, mission and values of the province. Thereafter, the behavioural expectations of a public servant in the province stemming from the province's Code of Conduct will be discussed. This will provide an appropriate backdrop against which the behavioural patterns will be discussed in the findings. In addition, the chapter will provide a discussion on how whistle-blowing functions in the Gauteng Province on a policy and implementation level as well as the challenges to this process. This will place the collected data in context as well as achieve the second part of the second research objective, i.e. determining the effectiveness of whistle-blower legislation in the Gauteng Province.

4.2   BACKGROUND OF GAUTENG PROVINCE

Gauteng Province is one of nine provinces in South Africa. The province is the smallest of the provinces in area, but has the largest population of all provinces in the country. This comparison with the other provinces is shown in Table 4.1.

Table 4.1: Population density of South Africa by province (2019)

Province	Provincial population	Area km²	People per km²
Eastern Cape	6 712 276	168 966	39.7
Free State	2 887 465	129 825	22.2
Gauteng	**15 176 116**	**18 178**	**834.9**
KwaZulu-Natal	11 289 086	94 361	119.6
Limpopo	5 982 584	125 754	47.6
Mpumalanga	4 592 187	76 495	60.0
North West	4 027 160	104 882	38.4
Northern Cape	1 263 875	372 889	3.4
Western Cape	6 844 272	129 462	52.9
South Africa	**58 775 022**	**1 220 813**	**48.1**

Source: Adapted from South Africa Institute of Race Relations (SAIRR) (2020:3)

As of 2020, Gauteng's population is estimated to be approximately 15.5 million, forming almost 26% of the country's total population (SAIRR 2020:3). Gauteng is also the economic hub of South Africa, contributing the largest percentage of South Africa's total gross domestic product (GDP) (Figure 4.1). Taking into cognisance the innumerable businesses in the province and considering the systemic corruption in the South African public sector, it is not surprising that the highest number of reported cases of corruption emanates from Gauteng.
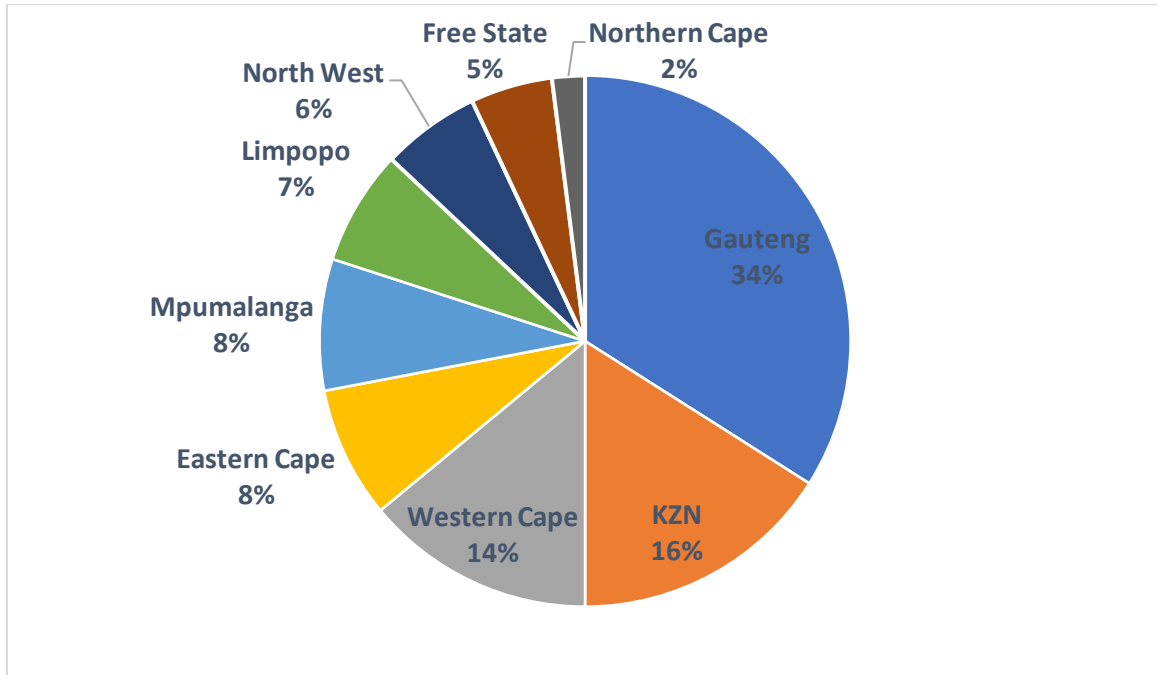
Figure 4.1: Contribution to GDP by province for 2018

Source: Adapted from Stats SA (2019)

Gauteng Province is the principal province in contributing to the economic success of South Africa. As a result, it is worthwhile to explore whistle-blowing and organisational culture in the province as they play a role in promoting ethical behaviour, which in turn leads to the success of the province as a whole.

The provincial government consists of 14 departments, as follows:

- Department of Agriculture and Rural Development
- Co-operative Governance and Traditional Affairs
- Department of Community Safety
- Department of e-Government
- Department of Economic Development
- Department of Education
- Department of Health
- Department of Human Settlements
- Department of Infrastructure Development
- Department of Roads and Transport
- Department of Social Development
- Department of Sport, Arts, Culture and Recreation

- Treasury
- Office of the Premier

These departments form the provincial government and serve various areas of service delivery in the province. Officials employed in these departments all form the public service of the Gauteng Province.

4.2.1 Vision and mission of GPG and Office of the Premier

The vision of the Gauteng Province is to build Gauteng

... "into an integrated city-region, characterised by social cohesion and economic inclusion; the leading economy on the continent, underpinned by sustainable socio-economic development" (GPG 2016:12).

In line with fulfilling this vision, the mission of the Office of the Premier of the province is

... "to advance radical socio-economic transformation and steer Gauteng towards a seamless and integrated City Region characterised by social cohesion and economic inclusion."

One of the ways in which this mission is to be accomplished is through "providing strategic leadership and direction to government and society" (GPG 2016:12).

4.2.2 Leadership and corruption in Gauteng Province

The Premier of Gauteng has made notable efforts to combat corruption and clean up the province. Premier David Makhura published 'Growing Gauteng Together', a document outlining the vision to be attained for the province by 2030. One of the primary goals in this vision is to eliminate corruption and build ethical governance (Office of the Premier 2019:58). In the efforts to achieve this, the Premier established the Gauteng Ethics Advisory Council which exists to "to institutionalise ethics and promote high integrity standards across government and society" (Officer of the Premier 2019:58). An open tender system was also established in an effort to promote transparency, curb corruption and fraud, and encourage clean, ethical governance in the GCR.

In addition, continuous efforts have been made to conduct financial disclosures of all middle and senior management officials in the province (Office of the Premier

2019:58). In 'Growing Gauteng Together', the Premier also highlighted the province's target to promote ethical leadership by "finalising all outstanding SIU investigations, lifestyle audits, with the emphasis on attaining clean audits" (Office of the Premier 2019:78). Moreover, on multiple occasions the Premier has also voiced the importance of prosecuting public officials found guilty of corruption in order to create and maintain a clean public sector.

Concerning leadership, the Integrity Management Framework highlights that the 'tone' of ethical behaviour in an organisation is set by its leadership. It is evident that the Premier, David Makhura, has made significant efforts to combat corruption and advance accountability and transparency. However, the province is still not immune to corrupt behaviour. Corruption and maladministration are still impediments to high-level, effective service delivery in the province (Office of the Premier 2019:40). According to Corruption Watch's annual reports from 2017 to 2019, the majority of reports of misconduct emanated from Gauteng Province. In 2017, a total of 5334 disclosures were made, 4200 in 2018 and 3694 in 2019. The percentages of these disclosures by province are illustrated in Figure 4.2.

Percentages of disclosures made by province

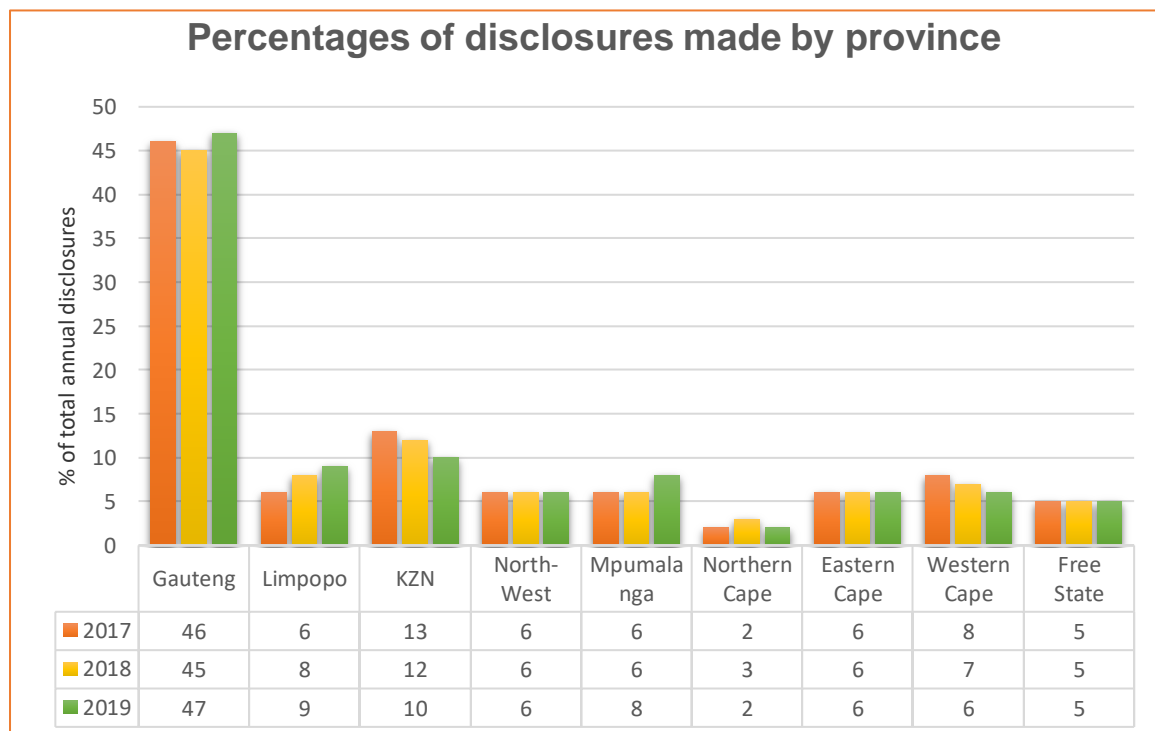|	Gauteng	Limpopo	KZN	North-West	Mpumalanga	Northern Cape	Eastern Cape	Western Cape	Free State
2017	46	6	13	6	6	2	6	8	5
2018	45	8	12	6	6	3	6	7	5
2019	47	9	10	6	8	2	6	6	5

Figure 4.2: Percentages of disclosures made by province (2017-2019)

Source: Author's adaptation from Corruption Watch Annual Reports (2017:31, 2018:22, 2019:22).

The large discrepancy between Gauteng and the other provinces does not necessarily mean that it is the most corrupt among them, but by contrast, might indicate that it possibly has a high level of disclosure activity. However, it is apparent that ultimately there are a significantly high number of corruption cases in the province. According to the Integrity Management Framework, studies reveal that employees refrain from reporting malpractice because they feel that the department will not take any action against the perpetrator or that they would experience retaliation and their identities would not remain confidential (GPG 2015:36). There is very little to no empirical research alluding to this being the case in the Gauteng province specifically, although several researchers have come to this conclusion with regard to the South African public sector as a whole. This situation justifies the current research and additionally, in exploring an ethogenic organisational culture and institutionalising whistle-blowing, the research can also examine the broader institutional, systemic and cultural challenges to reach a holistic conclusion.

4.2.3 Values of the GPG

Despite the high level of corrupt activities in the province, the province's Code of Conduct clearly outlines the values and acceptable behaviour for individuals employed by the GPG. The expected behaviour stipulated in a Code of Conduct serves as a guide for employees fostering an environment in which ethical behaviour is promoted. As alluded to by Holtzhausen (2007:140), "Corruption and fraud thrive in an environment that is devoid of ethics and morals". Hence a code of conduct in the public sector is a necessity. As such, the values of the Gauteng Province provided in the province's Code of Conduct (Gauteng Provincial Government [sa]) are as follows:

- Professionalism
- A culture of honesty
- Loyalty
- Complete integrity
- Accepting accountability and responsibility
- Confidence from the citizens
- Positive public image
- Striving for and maintaining credibility
- A sense of belonging and pride in the GPG

- Rewarding good behaviour and sanctioning bad behaviour
- High standards of service delivery
- All other positive attributes contributing toward sound ethical standards.

The values of the GPG evidently aim to promote an ethical organisational culture. Essentially, these values uphold and support the purposes of whistle-blowing in that whistle-blowing is fostered by a culture of honesty, acceptance of responsibility and being held accountable, sanctioning of bad behaviour, loyalty and professionalism. In turn, upholding these values develops a positive public image and instils public trust and confidence in the public sector.

The Code of Conduct promulgated by the Public Service Commission stipulates the acceptable behaviour from all public servants. It covers all relational aspects in the office of a public servant, outlining how a public official is to conduct him(her)self in a manner that aligns with the values of the public sector. Ultimately, a public servant must always uphold ethical standards. The Code of Conduct (Public Service Commission 1997:3-6) provides the following guidelines for acceptable behaviour from a public official:

"1. Relationship with the Legislature and the Executive

An employee-

- is faithful to the Republic and honours the Constitution and abides thereby in the execution of his or her daily tasks;
- puts the public interest first in the execution of his or her duties;
- loyally executes the policies of the Government of the day in the performance of his or her official duties as contained in all statutory and other prescripts;
- strives to be familiar with and abides by all statutory and other instructions applicable to his or her conduct and duties; and
- co-operates with public institutions established under legislation and the Constitution in promoting the public interest.

2. Relationship with the Public

An employee –

- promotes the unity and well-being of the South African nation in performing his or her official duties;

- will serve the public in an unbiased and impartial manner in order to create confidence in the public service;

- is polite, helpful and reasonably accessible in his or her dealings with the public, at all times treating members of the public as customers who are entitled to receive high standards of service;

- has regard for the circumstances and concerns of the public in performing his or her official duties and in the making of decisions affecting them;

- is committed through timely service to the development and upliftment of all South Africans;

- does not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language;

- does not abuse his or her position in the public service to promote or prejudice the interest of any political party or interest group;

- respects and protects every person's dignity and his or her rights as contained in the Constitution; and

- recognises the public's right of access to information, excluding information that is specifically protected by law.

3. Relationship among Employees

An employee –

- co-operates fully with other employees to advance the public interest;

- executes all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution and/or any other law;

- refrains from favouring relatives and friends in work-related activities and never abuses his or her authority or influences another employee, nor is influenced to abuse his or her authority;

- uses the appropriate channels to air his or her grievances or to direct representations;

- is committed to the optimal development, motivation and utilisation of his or her staff and the promotion of sound labour and interpersonal relations;

- deals fairly, professionally and equitably with other employees, irrespective of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language; and

- refrains from party political activities in the workplace.

4. Performance of Duties

An employee –

- strives to achieve the objectives of his or her institution cost-effectively and in the public interest;

- is creative in thought and in the execution of his or her duties, seeks innovative ways to solve problems and enhances effectiveness and efficiency within the context of the law;

- is punctual in the execution of his or her duties;

- executes his or her duties in a professional and competent manner;

- does not engage in any transaction or action that is in conflict with or infringes on the execution of his or her official duties;

- will recuse himself/herself from any official action or decision-making process which may result in improper personal gain, and this should be properly declared by the employee;

- accepts the responsibility to avail him- or herself of ongoing training and self-development throughout his or her career;

- is honest and accountable in dealing with public funds and uses public services property and other resources effectively, efficiently, and only for authorised official purposes;

- promotes sound, efficient, effective, transparent and accountable administration;

- in the course of his or her official duties, reports fraud, corruption, nepotism, mal-administration and any other act which constitutes an offence, or which is prejudicial to the public interest to the appropriate authorities;

- gives honest and impartial advice, based on all available relevant information, to higher authority when asked for assistance of this kind; and

- honours the confidentiality of matters, documents and discussions, classified or implied as being confidential or secret.

5. Personal Conduct and Private Interests

An employee –

- during official duties, dresses and behaves in a manner that enhances the reputation of the public service;

- acts responsibly as far as the use of alcoholic beverages or any other substance with an intoxicating effect is concerned;

- does not use his or her official position to obtain private gifts or benefits for himself or herself during the performance of his or her official duties nor does he or she accept any gifts or benefits when offered as these may be construed as bribes;

- does not use or disclose any official information for personal gain or the gain of others; and

- does not, without approval, undertake remunerative work outside his or her official duties or use office equipment for such work."

The acceptable behaviour provided in the Code of Conduct aligns with the ideals of an ethogenic organisational culture. As defined in section 1.7.4 of the study, an ethogenic organisation will attempt to "pre-empt whistle-blowing, thus making conventional whistle-blowing redundant and superfluous." The Code of Conduct attempts to pre-empt whistle-blowing in stating that a public official is expected to report any form of corruption, fraud, maladministration, nepotism or any other offence as well as stipulating that public officials must promote efficient, effective, accountable and transparent (Public Service Commission 1997:6). Additionally, a public official must execute government policies loyally and put public interest first. These behaviours ideally encourage whistle-blowing in the public sector, thus promoting an ethogenic organisational culture.

4.3 THE INTEGRITY MANAGEMENT FRAMEWORK AND ANTI-CORRUPTION STRATEGY

GPG policy serves as evidence that there is commitment to promoting whistle-blowing from the province. The Integrity Management Framework provides guidelines for the promoting of integrity, accountability and ethical behaviour in the Gauteng City Region (GCR). Whistle-blowing mechanisms thus exist to curb any violations of integrity in the province's organisations (GPG 2015:30). When these violations are identified, the necessary punitive measures must be taken. The Integrity Management Framework (GPG 2015:30) therefore states that whistle-blowing is a useful "detection, prevention and deterrent mechanism in as far as unethical conduct, fraud and corruption is concerned".

The Integrity Management Framework (GPG 2015:10) states that organisations within the province must ensure implementation of the whistle-blowing mechanisms and also ensure that employees have full comprehension of the need for whistle-blowing as well as the results of whistle-blowing. Under 'training and awareness', the policy also

states that through training, organisations should encourage their employees to report all wrongdoing (GPG 2015:27).

The province's Integrity Management Framework was promulgated together with the Anti-Corruption Strategy (ACS). The ACS was established based on the MACC) requirements outlined by the DPSA and shown in Figure 4.3.
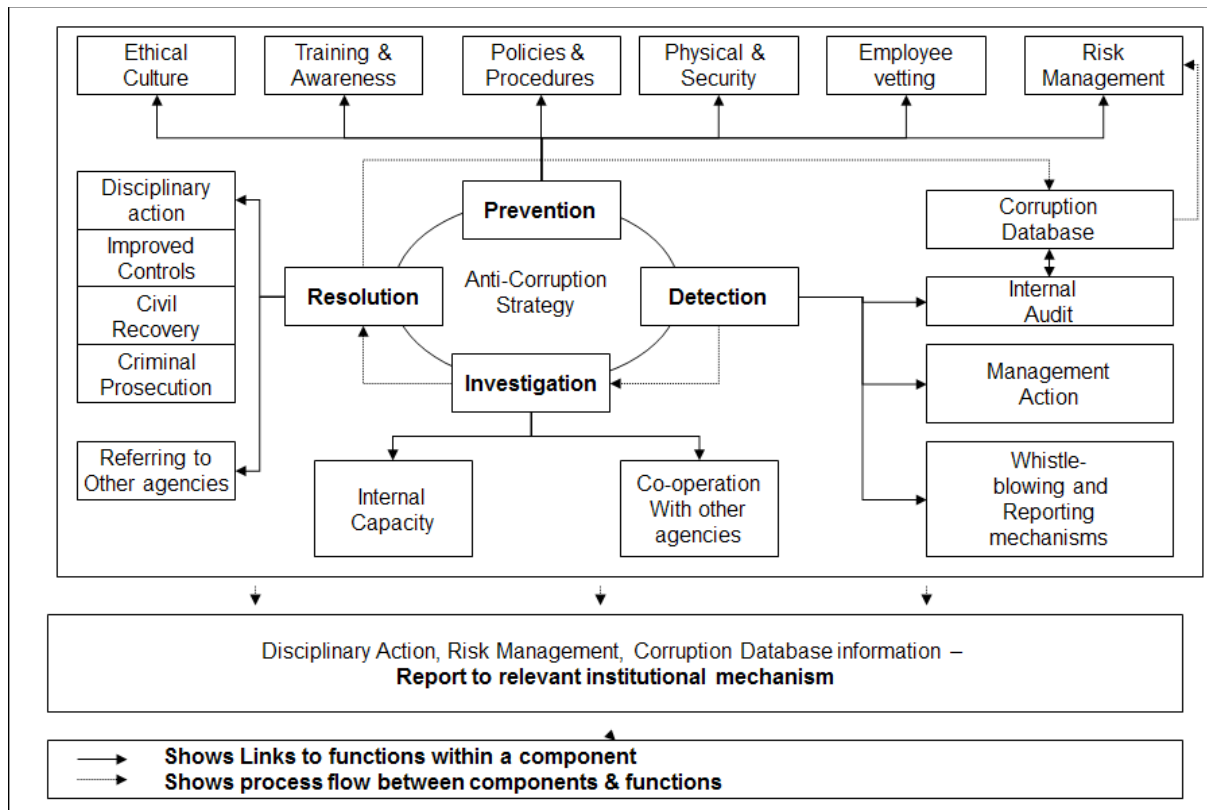
Figure 4.3: Minimum Anti-Corruption Capacity requirements
Source: Adapted from Gauteng Anti-Corruption Strategy (2015:10).

Each aspect of the MACC forms part of integrity management. Whistle-blowing, as illustrated in the diagram, is an element of the pillar of detection. The ACS reiterates the importance of the implementation of effective mechanisms for disclosure in the GPG organisations. The strategy also highlights whistle-blowing as the most effective means of detection of corrupt behaviour. As a means for employees to report corruption, to reemphasise, the ACS (2015:36) provides the following as whistle-blowing requirements for organisations:

- "Develop a whistle-blowing framework that clearly sets out how employees and others could blow the whistle, and how these instances would be responded to.

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- Establish a clear system to support the provisions of the framework across the public sector. This should include assigning the responsibility of receiving such reports, co-ordinating them and tracking the progress.

- Raise awareness and provide training on whistle-blowing.

- Promote a culture of whistle-blowing amongst employees and citizens.

- Establish guidelines for the implementation of the Protected Disclosures Act, including guidelines that make a distinction between whistle-blowing and witness protection.

- Improve conditions for and functioning of the system of witness protection, including the issuing of guidelines on the conditions and how the system functions."

These provisions are further elaborated in the province's Whistle-blowing Policy. So far, it is evident that the provincial policies show commitment to whistle-blowing.

4.4   WHISTLE-BLOWING POLICY

The Whistle-blowing Policy is a part of the GPG's efforts to promote a culture of transparency. The policy covers matters raised concerning any forms of misconduct, corruption, fraud and malpractice (GPG 2009:1). According to the Gauteng ACS (2015:30), the purpose of the province's whistle-blowing policy is

> ... "to provide means by which GPG staff is able to raise concerns with the appropriate line management, or specific appointed persons in the various provincial departments, where they have reasonable grounds for believing that there is fraud and corruption within their departments."

No disclosure may be malicious. Each disclosure made must be made in good faith.

Concerning culture, the Whistle-blowing Policy states that the GPG is committed to encouraging a culture of openness. The policy highlights the following as means to promote an open culture:

- involving employees in whistle-blowing policies and taking into cognisance their grievances and concerns (GPG 2009:2)

- training and educating employees on what constitutes wrongdoing so that they may become aware of actions that warrant whistle-blowing

- raising awareness of the benchmark of expected and acceptable behaviour. There must be a shared understanding of the standard concerning employee behaviour

- encouragement to promote the approach outlined by the policy

- establishing a policy to combat corruption and fraud

- quarterly reporting on the number of cases reported and their progress to the Office of the Premier as well as the Forensic Services Unit.

Ultimately, the culture in GPG departments should be one in which management does not shy away from discussion surrounding whistle-blowing with employees. This promotes a culture of transparency and openness as it conveys a message to employees that making disclosures is acceptable and is in fact encouraged.

The Whistle-blowing Policy also provides for issues of safety and confidentiality. As discussed in Chapter One, numerous whistle-blowers in the public sector experience occupational detriment. Provincial management is committed to ensuring that employees who make disclosures in good faith will not face any form of retaliation, e.g. dismissal, suspension, transfer, harassment or intimidation (GPG 2009:2). If the employee for any reason fears for his/her safety, he/she is at liberty to make an anonymous or confidential disclosure and the official to whom the disclosure is made is required to withhold the identity of the whistle-blower (GPG 2009:3).

Once the disclosure has been made, the Whistle-blowing Policy states that the respective department must carry out a formal investigation or internal inquiry to determine the action to be taken. The matter reported must then be acknowledged within a period of seven working days (GPG 2009:3). Where requested, the department may provide the whistle-blower with information on how the reported case is to be handled. If the case will not be pursued, the reasons behind this decision must be provided. The policy also provides for the various individuals/entities to whom disclosures may be made.

One can argue that the Whistle-blowing Policy along with the Integrity Management Framework and the Anti-Corruption Strategy make sufficient provisions on how whistle-blowing is desired to function in the province. However, due to systemic

corruption in South Africa's public sector, the implementation and application of the policies may not be straightforward. The policies outline the acceptable or expected behaviours, meaning that policy is only normative. There are no provisions made for the corrective measures to be taken on an empirical basis in the event that implementation of the policies fails. This also warrants the current research as it will examine some of the challenges in the implementation of whistle-blowing and thereafter, provide recommendations. It is, however, worth noting that the Gauteng Province's Whistle-blowing Policy is currently under review. The review had not been complete before the completion of this study. This did not impact the study as literature has shown that concerning whistlegenic organisational culture, legislation is not "a panacea in and of itself" (Dorasamy 2012:506).

4.5 ROLES OF PARTICIPANTS

There are various individuals to whom disclosures are to be made and who have the responsibility of implementing ethics and whistle-blowing. The primary purpose of the Office of the Premier with regards to ethics is to "provide strategic leadership in the prevention of corruption by ensuring that high standards of organisational ethics are maintained and promoted throughout the province". The IMU exists within the Office of the Premier to propagate matters of ethics, accountability, transparency and integrity within the province. In this regard, the role of the Integrity Management Unit includes providing strategic direction concerning:

- Ethical organisational culture;
- Policies and procedures;
- Training and awareness programmes;
- Corruption risk management systems; and
- Development of action plans by all Gauteng Provincial Government departments to give effect to the implementation programme of the strategy.

In addition, the unit specifically drives integrity by focusing on:

- Vetting and compliance
- Forensic and anti-corruption
- Security management.

The essential role of the IMU is to provide direction to GPG departments on matters concerning ethics, which extends to whistle-blowing.

While the IMU provides direction to departments, ethics officers provide direction within the departments. In the province's integrity management architecture, ethics officers are outlined as 'implementers' of Integrity management along with accounting officers, executive authorities, ethics champions and management. All departments within the province have an ethics officer. According to the Integrity Management Framework, ethics officers have the following responsibilities:

- Promoting ethical behaviour and integrity
- Advising employees on all ethical issues
- Ensuring integrity of all procedures and policies
- Reporting misconduct to heads of departments
- Managing conflicts of interests, e.g.

    Employees' financial disclosures

    Department gift registers

    Applications for external remunerative work

- Create and carry out awareness programmes educating employees on ethics, anti-corruption and good governance
- Monitor and keep track of the individuals under investigation and those facing disciplinary action
- Periodically inviting employees to make financial disclosures, declare gifts and any other benefits
- Keeping track of the conflict management process from the identification phase to resolution (GPG 2015:36)

According to the Anti-Corruption Strategy, the Office of the Premier co-ordinates a certification programme to ensure that ethics officers are equipped with the necessary skills to carry out their mandate (GPG 2015:12). On the basis of the specific roles of the IMU and the ethics officers, they were selected as appropriate respondents for this study as both parties play a role in guiding employees regarding ethics and, as a result, influence the organisational behaviour and culture of the institutions.

4.6   SUMMARY AND CONCLUSION

This chapter provided a background of the study on the selected case study, the GPG departments. The chapter also provided an overview of the efforts made by the

provincial leadership in curbing corruption and promoting clean governance in the GPG. A discussion on the values and acceptable behaviour as per the Code of Conduct was also presented, providing an understanding of the expected behaviour in relation to the findings. The primary provincial policies making provisions for whistle-blowing and the province's desired organisational culture concerning whistle-blowing stemming from the Whistle-blowing Policy were also laid out in this chapter. The challenges faced by the province regarding corruption were also briefly discussed and thereafter, the roles of the respondents, the ethics officers and the IMU were also presented.

It is apparent from this chapter, that a significant effort to curb corruption has been made by the Premier of the province. However, corruption has persisted in several departments, as alluded to in section 4.2.2. The selected participants play an important role in promoting ethical behaviour in the province and for this reason were a key element in informing the research questions. Chapter 5 will present a detailed discussion of the data collection process and the duties of the respondents.

CHAPTER FIVE
RESEARCH METHODOLOGY

5.1 INTRODUCTION

The previous chapter provided the contextual background of the case, Gauteng Province. It discussed the general position of Gauteng in terms of contributing to the South African economy as well as the efforts by the province's Premier to combat corruption. The chapter also discussed the values and acceptable behaviour from public officials in the province, according to the province and the public sector Code of Conduct. In addition, the chapter provided a discussion on the application of the province's ethics and whistle-blowing policies, i.e. the Integrity Management Framework, the Anti-Corruption Strategy and the Whistle-blowing Policy. The roles of the IMU and the ethics officers were also outlined, providing an understanding of how the participants could make a meaningful contribution to the study. Against this backdrop, one can now understand the data collection process as well as the questions provided in the interview schedules and how the respondents were able to inform the study.

The purpose of this chapter is to further explain the methodology briefly discussed in Chapter One (section 1.6). The research instrument used to carry out the study was slightly altered due to the national lockdown implemented on 26 March 2020. This chapter will explain in detail how the interviews and focus groups conducted were altered under those circumstances, some of the limitations of the manner in which the research instruments were utilised and also some of the opportunities and benefits of the research instruments in the context of this particular study.

5.2 RESEARCH METHODOLOGY

As highlighted in the introduction, this research employed a qualitative research approach. The research instruments used for the study were focus groups and interviews. These instruments were adjusted to fit the availability of the respondents under the stated circumstances. This will be further elaborated in this section, coupled with the characteristics and application of the instruments.

5.2.1 Focus group interviews

Powell and Single (1996:499) define a focus group as "a group of individuals selected and assembled by researchers to discuss and comment on, from personal experience, the topic that is the subject of the research." In simple terms, Morgan (1988:12) defines it as exclusively making use of group interviews and adds that "the hallmark of focus groups is their explicit use of group interaction to produce data and insights that would be less accessible without the interaction found in a group" (Morgan 1997:2). A focus group aims to acquire "the rich details of complex experiences and the reasoning behind [an individual's] actions, beliefs, perceptions and attitudes" (Carey 1995:413). By asking relevant questions, the researcher is able to gather in-depth information on the patterns and behaviours of the participants and comprehend the psyche behind their decisions and perceptions (Then, Rankin & Ali 2014:16). Freitas, Oliveira, Jenkins and Popjoy (1998:6) also add that focus groups are a useful tool in examining an area of which the participants have vast knowledge. Tynan and Drayton (1988:5) also suggest that a focus group discussion is where the researcher/moderator asks appropriate questions in a manner that is not directive.

The aim of a focus group is not to generalise the responses as a researcher would with quantitative research, but the sample selected for the study is most important as it informs the quality of the responses. The issue of sample size or the number of participants required for a focus group interview is one that has been controversial over years of research. Various researchers provide different minimum and maximum numbers of participants a researcher should involve in a study. According to Then et al. (2014:18), literature on focus groups suggests participants ranging from four (4) to fourteen (14). Morgan (1997:2) suggests between six and ten participants while Tynan and Drayton (1988:5) provide eight as the minimum and twelve as the maximum number of participants. Freitas et al. (1998:12) argue that the minimum number should be eight and the maximum twelve.

It is apparent that there are varying suggestions and different justifications for all of the comments provided by each scholar or researcher and no single formula for selecting the size of the focus group. For example, Then et al. (2014:19) propose that a researcher base the size of the group on the area of research, thus the questions being asked and also based on the specific characteristics of the participants.

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Anderson (1990:241) defines a focus group as "a group comprised of individuals with certain characteristics who focus discussions on a given issue or topic". This definition brings attention to the characteristics of the chosen participants. There are different criteria on which to base the selection of the sample, depending on the nature of the research. Tynan and Drayton (1988:6) highlight the importance of participants in a focus group having a "community of interests" as this develops a sense of ease in the participants and allows them to have a more natural discussion.

5.2.1.1 Application of focus groups

This research study was conducted with the GPG departments. As stated previously, the GPG consists of 14 departments. Each department has a trained ethics officer with the mandate to promote and uphold ethics in the respective department. The focus groups were conducted with the 14 ethics officers of the Gauteng provincial departments. Homogeneity is an important part of the selecting the key informants of the research and some scholars argue that a focus group "should be as homogenous as possible" (White & Thomson 1995:256). Morgan (1997:3) argues that the participants of a focus group should be part of the same cultural or societal group, e.g. with respect to religion, sex, ethnic or educational background. According to Wozniak (2014:8),

> ... "homogeneity, in terms of belonging to the same level of management and similar work experiences, allows the reconstruction of the specific features of different levels of authority, increases group synergy, and strengthens the capacity for cooperation and confidence among the participants."

For this study, the focus group was conducted with all 14 ethics officers. The initial proposal for the research intended for the focus groups to be conducted in two groups of seven officers. The focus group interviews were scheduled in 2019 for the beginning of 2020. Unfortunately, due the circumstances of the lockdown in South Africa, the focus group had to take place with the officers simultaneously as one focus group with all 14 ethics officers. This was because the provincial departments were all extremely busy due to the impending lockdown and unfortunately the officers did not have sufficient time to participate in the focus group session in smaller groups of seven as initially proposed in the research proposal. They requested that the focus group be

conducted with all 14 officers due to a lack of time. However, this did not serve as a limitation due to the homogeneity of the group. As stated by Wozniak's sentiments, the ethics officers having the same occupation at the same level assisted with the synergy of the group, as well as the confidence in speaking amongst people who understand the perceptions, beliefs and behaviours of other participants albeit in slightly different contexts. The researcher was assisted by a trained moderator to ensure that the focus group interview was controlled and that all non-verbal cues were taken into account.

All participants signed informed consent forms (Annexure C) and with their permission, the focus group session was recorded using multiple devices to ensure that the data collection was rigorous and that the collected information was accurate, given the size of the group. The participants were all provided with a copy of the interview schedule in case any of them wished to share their responses through e-mail communication or in the event that they had any further opinions or questions, they would be able to share them with the moderator. Due to the nature of the discussion and of shared experiences, all participants contributed to the study and shared their opinions and experiences through their responses. The responses were transcribed by the researcher for analysis following the focus group session.

5.2.1.2 Advantages of focus groups

Focus groups have advantages and limitations, and in the context of this study there are both advantages and limitations that affect the application of the instrument. According to Freitas et al. (1998:4), an advantage of using the focus group interview as an instrument is the in-depth nature of the responses due to the setting. For this particular study, establishing a focus group was advantageous in that it allowed the researcher to attain rich information through the interactions amongst the participants that would not normally be acquired through individual interviews.

According to Dilshad and Latif (2013:196), another advantage of focus groups is that detailed information is collected in a reasonable amount of time. This served as an advantage for this study as the interview took place in one sitting of two-hour duration. This was beneficial in that the researcher was able to attain relevant, detailed and informative responses in a short period of time with a more than adequate and

knowledgeable group of ethics officers, making the instrument relevant for the purpose and nature of the study. The focus group tool also proved to be appropriate due to the approaching lockdown, allowing the researcher to acquire information from all the ethics officers timeously using a tool well-suited to its purpose.

Dilshad and Latif (2013:196) also postulate that focus group interviews are beneficial in that the researcher immediately receives clarification and feedback from the responses with assistance from the participants in the group. This was evident in this study as the participants were able to contribute by providing clarity where it was required because they all held the same position in the various departments of the province. They were aware of the role of every other participant and recognise one another's experiences making it possible and easier for them to expand on other participants' responses.

Then et al. (2014:17) bring to light the significance of the social aspect of a focus group. Human beings live in social environments and thus form various perceptions influenced by their respective social environments. Focus group interviews allow individuals to express their similar or conflicting opinions and this may further cement individuals' existing opinions or encourage them to form new opinions in light of new information (Hillebrandt 1979:17). Then (1996:28) argues that while "individual interviews provide for direct responses to the interviewer, focus groups allow for direct responses, foster discussion and allow individuals to adjust their opinions". In this regard, for this study, it is interesting and beneficial to conduct a focus group with a homogenous group of individuals in order to explore their possibly differing opinions and experiences in similar environments.

Freitas et al. (1998:6) maintain the importance of using the focus group interview where the researcher would like to attain information in a new area of study or to purposively acquire information from a particular group of individuals who are knowledgeable in the respective area of study. This proved true for this research as the direction of the research was informed by the motivation to inquire on organisational culture and whistle-blowing, focusing on the Gauteng Province. As such, a focus group was relevant because the ethics officers are well-informed on the subject matter and thus were the relevant participants. Overall, the slightly larger focus

group was of significant benefit in that it helped the researcher to attain rich information from a knowledgeable homogenous group of individuals who were familiar with the subject matter and were comfortable with informing the research in a familiar setting, through a time-conscious yet well-informing and rigorous method, given the circumstances in the country. In qualitative research, rigour can be attributed to research that is dependable, transferable, confirmable and credible (Houghton, Shaw, Casey & Murphy 2013:13). The individuals informing this research and the research instrument, i.e. a focus group, used for this study ensure that these four criteria have been met.

5.2.1.3 Limitations of focus groups

Focus groups also have limitations, as do all other research instruments. For this study, the researcher looked at some of these limitations prior to conducting the interview and attempted to mitigate them to the greatest extent possible. According to Then et al. (2014:17) focus groups may be disadvantaged by reluctance to speak truthfully by some individuals if they feel that some group members are not trustworthy. As stated previously, the participants were already well-acquainted and thus, there is a higher possibility that they trust each other as they work in the same province at the same level of employment.

Another disadvantage of focus groups is that the researcher may face difficulties in securing a convenient location and time to conduct the focus group (Then et al. 2014:17). This did not prove to be a great challenge for this research as the focus group interview took place at the Gauteng Premier's Office on a day that the ethics officers had already been scheduled to meet for their monthly meeting in March 2020 which was therefore convenient for both the participants and the researcher.

Dilshad and Latif (2013:197) state another common challenge with focus group interviews, which is that in some cases, certain individuals in the group may control or dominate the conversation and others may be less vocal. This did not prove to be a challenge during the course of the interview as the participants did not seem to have any challenges with responding to the questions as they were in a comfortable environment with familiar colleagues.

Focus groups are usually a challenge in cases where the topic of discussion is one of a sensitive nature (Then et al. 2014:17). When that is the case, participants tend to become hesitant in their responses and may not express their true opinions due to fear. This posed a possible limitation prior to the focus group interview as the research questions were largely focused on whistle-blowing, which remains a sensitive topic of discussion, particularly in the public sector. The researcher ensured that the participants signed informed consent forms which assured them of their anonymity in the reporting of the collected data. The researcher did not ask the participants for their identities or the departments for which they are ethics officers. This ensured protection of the identity of every participant because the researcher had no information on them. Participants were to a greater extent sufficiently at ease to share their opinions and provided responses that were both negative and positive, showing their honesty regardless of the sensitivity of the topic.

5.2.2 E-mail interviews

According to Lupton (2020), the measures taken by most governments to contain the spread of Covid-19 have affected social research and subsequently, researchers have had to find alternative methods to conduct their research and still achieve quality results. For this research, e-mail interviews were made use of in place of face-to-face interviews. Studies of the use of e-mail as a research instrument are still evolving as e-mail has been used for research purposes for a much shorter period of time than face-to-face interviews. Given that different research methods have benefits as well as shortcomings, Hawkins (2018:493) suggests that a researcher should consider the suitability and practicality of the research instrument to be used in order to determine how it can be applied and affect the research results.

5.2.2.1 Application of e-mail interviews

In addition to the focus group interviews, this study was also intended to be informed by individual interviews with the IMU of the Gauteng Premier's Office. The unit was established in 2016 by the Gauteng Province as a means of promoting "ethics, transparency and values-driven decision-making" (Gauteng Provincial Government 2016:10).

As mentioned previously, the aim of the Integrity Management Unit is to strengthen good governance as well as promote integrity in government. The unit also has the responsibility to promote "an ethical organisational culture across the Gauteng Government and provide guidelines on the expected behaviour of public servants" (Gauteng Provincial Government 2016:15). It is also tasked with the responsibility of reviewing the Integrity Management Framework as well as working towards a government that is completely free of corruption and an enhanced disclosure framework (Gauteng Provincial Government 2016:15). Given these responsibilities, the IMU was also purposively selected as part of the sample in addition to the ethics officers as the unit is well versed in matters concerning organisational culture and whistle-blowing.

The IMU consists of eight individuals. The initial proposal intended to have individual interviews with the unit. However, due to the lockdown resulting from Covid-19, the interviews could not take place as initially planned because the proposed date fell a few days before the lockdown and the provincial departments were extremely occupied. The agreed-upon research instrument approved by the unit as well as the faculty ethics committee was the use of e-mail interviews.

The interview schedule had been sent to the IMU at the ethical clearance stage of the research for approval by the Director-General of the Gauteng Province. The interview schedule had been approved prior to the communication concerning the change of the research instrument. The change of instrument thus had no effect on the previously approved interview schedule.

5.2.2.2 Advantages of e-mail interviews

One of the most commonly agreed-upon advantages of e-mail interviews is the convenience of not travelling and thus their cost-effectiveness as well as asynchronous nature, meaning that there is no challenge in organising a specific meeting time with the interviewee or having immediate responses (Burns 2010). This means that the participant is able to respond to the questions at the time of his/her convenience without the pressure of responding immediately, as with synchronous interviews. In this regard, Fritz and Vandermause (2017:1642) highlight participants' appreciation of e-mail interviews in past researches.

E-mail interviews are advantageous in that they allow participants to respond to the questions at their own time, meaning that they can take their time to fully comprehend the questions and reflect on their responses before answering the questions (Meho 2006:1290). This allows respondents to provide responses that are well thought-out and reflected upon, which provides the researcher with more relevant data. The asynchronicity of e-mail interviews may also lessen the pressure an interviewee may feel from nervousness in a face-to-face interview (Bampton & Cowton 2002). In addition, Denscombe (2003:51) states that the quality of the answers a researcher acquires through online research methods is of the same standard as responses from traditional research methods.

Other studies conducted also concluded that responses provided during e-mail interviews were more focused and gave more in-depth details in comparison to the responses from face-to-face interviews (Meho 2006:1291). This does not necessarily mean that e-mail interviews are better than face-to-face interviews but it is to emphasise the benefits of having time to reflect on the questions and thus provide more clear and direct responses. E-mail interviews also allow participants to respond to the questions in a familiar environment where they are at ease, such as their offices or homes, which allows them to express themselves in a relaxed manner (Meho 2006:1290).

Mason and Ide (2014:40) add to the list of advantages of e-mail interviews stating that the asynchronous nature of the e-mail provides an ethical advantage in comparison with synchronous interviews because the respondent is able to decide how much time he/she spends on the interview. From previous research, Gibson (2010:7) draws attention to the characteristic of being able to type or write down responses in e-mail interviews, stating that participants found pleasure in "authoring their life experiences".

Overall, the e-mail interview offers a convenience that is not afforded by-face to-face interviews. Moreover, the way in which they are conducted usually allows for the information given by respondents to be well contemplated and hence is more likely to provide the researcher with relevant and pertinent responses that truly satisfy the

research questions. This made the e-mail interview an appropriate instrument to use in place of face-to-face interviews in the light of the circumstances.

5.2.2.3 Limitations of e-mail interviews

E-mail interviews also have their share of limitations. One of the limitations of e-mail interviews is the amount of time it may take for informants to respond to the researcher (Meho 2006:1288). In some cases, respondents may not respond to an e-mail, resulting in a long waiting period of following up by the researcher, which may be taxing. For this research, the individuals in communication with the researcher were very communicative when delays were experienced and all responses were sent back after approximately eight weeks.

Another challenge stemming from conducting e-mail interviews is that respondents may misunderstand the questions if there is ambiguity or vagueness in their phrasing (Meho 2006:1290). Hence it is important for the research questions to be clear, meticulous and unambiguous to avoid misinterpretation or miscommunication. The researcher ensured that the research questions were clear and straight-forward and that she was accessible to the respondents should there be any misunderstanding. There did not seem to be any challenges in understanding the questions as the responses provided were relevant to the questions posed.

Other researchers argue that e-mail interviews do not offer some of the cues a researcher would take note of in a face-to-face interview. Fritz and Vandermause (2017:1642) argue that e-mail interviews do not provide the researcher with an opportunity to observe prompts such as hesitation, silence or tone. This may be alleviated by the use of written punctuative cues, although these may not always be made use of by the respondents (Hawkins 2018:496).

Although the responses in e-mail interviews may be clear and concise, on the other hand, they may be too short and too concise (Hawkins 2018:495). It is important to ensure that the respondents fully express their views in a detailed manner. For this research, the respondents provided clear and detailed responses that informed the research questions.

5.3   SUMMARY AND CONCLUSION

This chapter outlined the research instruments utilised for the study; focus group interviews as well as e-mail interviews. The chapter provided a detailed explanation of the manner in which the interviews were conducted and the process of the focus group session. The advantages and limitations of both data collection methods were also discussed.

Notwithstanding the national lockdown, the researcher managed to collect data from the participants within the conditions at the time. Having understood the context of the data collection process, one can then have a full grasp of the findings having understood the process, the opportunities making the data collection more accurate as well as any limitations that may have had an effect on the findings. It is against this backdrop that the following chapter will discuss the findings and the information acquired from the focus group session with the ethics officers as well as the e-mail interviews with the IMU.

CHAPTER SIX

PRESENTATION AND ANALYSIS OF THE RESEARCH FINDINGS

6.1   INTRODUCTION

The previous chapter focused on the methodology and research instruments as well as the context in which the research took place. The purpose of this study was to identify the challenges in the organisational culture of the South African public sector concerning whistle-blowing as well as how to create an ethogenic organisational culture, in which whistle-blowing is normalised and functions as a normal anti-corruption mechanism. Chapters two and three provided a theoretical foundation on organisational culture and whistle-blowing as well as the relevant policies in the public sector. Against this backdrop, the research questions and objectives are informed through the responses to the questions in the interview schedules.

This chapter will be divided into two sections. As stated in Chapter One as well as in the previous chapter, the research was conducted through the use of focus group interviews as well as e-mail interviews. The first section will outline the responses provided in the focus group interview with the ethics officers and this will be followed by the responses provided by the IMU through e-mail interviews. The second section will then analyse the findings by employing Berry's (2004:1) 'seven dimensions of organisational culture that influence the employee reflection process that ultimately leads to whistle-blowing behaviour'.

Through the responses stemming from the provided interview schedules (Annexure A; Annexure B), the chapter achieves the third research objective of the study which is to explore the whistle-blowing organisational culture in the GPG departments and examine some of the challenges which inhibit whistle-blowing. The participants' responses also present propositions of how whistle-blowing can become ingrained in the organisational culture of the GPG, partially fulfilling the fourth research objective.

6.2   ANALYSING THE RESEARCH RESULTS

Ibrahim (2012:39) maintains that results of qualitative research are highly dependent on their interpretation. According to Nowell, Norris, White and Moules (2017:1), in

order for qualitative research to be trustworthy, the researcher must prove that analysis was carried out in

> ... "a precise, consistent and exhaustive manner through recording, systematising and disclosing the methods of analysis with enough detail to enable the reader to determine whether the process is credible."

For this research, thematic analysis was used to provide an analysis of the information obtained through the focus group and e-mail interviews.

According to Boyatzis (1998:5), thematic analysis is the "translator" for the languages of qualitative and quantitative analysis, allowing researchers to communicate in their research. It is also a technique to provide classification, analysis and reporting of patterns (themes) found in the data collection process (Saleh, Ali, Mohd-Yusof & Jamaluddin 2017:1315). Thematic analysis is useful in that it is flexible and can be altered to fit various studies while still providing detailed and rich information. Braun and Clarke (2006:79) highlighted the usefulness of thematic analysis in examination of the various perceptions and opinions that are provided by multiple research participants. It assists the researcher in classifying similar and different opinions, thus formulating themes from these classifications as well as unanticipated responses (Nowell et al. 2017:2). Additionally, conducting a thematic analysis assists the researcher in determining and outlining the main ideas in the case where a large sample or data set is used. This encourages the researcher to carefully construct the data analysis which provides a well-organised and clear research report.

As stated in the previous chapter, the interviewer recorded and transcribed the responses provided in the focus group session. Each respondent's response was transcribed, ensuring that there was an accurate depiction of the experiences and opinions of the participants. As highlighted, all 14 participants contributed their opinions, thus ensuring that conducting a thematic analysis would provide accurate results which are representative and inclusive of all participants' experiences and did not exclude the opinion of any individual. Similarly, the e-mail interviews with the IMU were representative of the unit in its entirety and did not exclude any individual's response as all eight members of the unit contributed to the research. The responses were interpreted on this basis.

Namey, Guest, Thairu and Johnson (2008:138) point out that "thematic analysis moves beyond counting explicit words or phrases and focuses upon describing implicit and explicit ideas". It is important that the researcher does not simply outline the data but focuses on the interpretation and analysis of the data through an exploration of themes. Clark and Braun (2013) state that there are challenges in formulating themes from the interview questions as this is a reflection of data having been summarised and organised but not necessarily analysed. Hence the following sections of this chapter will outline the research findings obtained using the data collection research instruments attached in Annexures A and B.

The findings will be presented based on the most pertinent themes which rose from the responses provided by the respondents. Thereafter, an analysis will be made by using Berry's compliance framework titled 'Organisational Culture: A Framework and Strategies for Facilitating Employee Whistle-blowing'.

In the article, Berry (2004:1) lists "seven dimensions of organisational culture that influence the employee reflection process that ultimately leads to whistle-blowing behaviour". Berry's Framework is appropriate as it merges the main themes of this study, i.e. organisational culture and whistle-blowing, and outlines an overall image of how the organisational culture concerning whistle-blowing should be in organisations. The dimensions are formulated through a compliance framework "used to identify strategies for encouraging a culture that supports employee communication, questioning and reporting of illegal, unethical and illegitimate practices within organisations" (Berry 2004:1). This makes this framework relevant in as it provides a normative framework that brings to light the shortcomings experienced in the public sector as well as the standard which the South African public sector must work towards achieving in order to normalise whistle-blowing. When this framework is juxtaposed with the reality that is in the South African public sector (in this case Gauteng Province), it provides clarity on the areas that prove to be challenges as well as the solutions to the challenges concerning the whistle-blowing culture.

Berry's framework also sets out themes that overarch the themes stemming from the responses provided in the focus group and e-mail interviews. The concepts in this framework inform the main purpose of this study; to explore the creation of an

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ethogenic organisational culture. Berry outlines an apposite compliance framework, elucidating how an organisational culture in which whistle-blowing is normalised (ethogenic) can be achieved. The analysis of the research results will be presented against this framework to achieve the key objective of the research.

6.3   DATA FROM THE FOCUS GROUP

In this section, the data collected from the focus group interview with the ethics officers of the Gauteng Provincial Office will be presented. As stipulated in Chapters One and Four, ethics officers are knowledgeable on matters concerning whistle-blowing and the organisational culture thereof. The interview schedule consisted of 13 well-constructed questions (Annexure A) that were classified into different themes: role of ethics officers in the province; existing organisational culture; policies and perceptions on whistle-blowing; and opinions on how whistle-blowing could be institutionalised. The responses will therefore be outlined following these themes.

The questions posed were open-ended in nature and consequently were followed by relevant additional follow-up questions. The subsequent follow-up questions, as well as the responses, will be presented under the respective questions.

6.3.1   Role of ethics officers

The aim of this section was to obtain an in-depth understanding of the formal role of ethics officers, as well as any unwritten responsibilities the officers carry in addition to their formal duties.

6.3.1.1 Responsibilities of ethics officers

The first question posed to the respondents was on their roles and responsibilities. The responses provided were that the role of ethics officers was to promote an ethical culture and ethical behaviour within the organisation. They also have the duty of promoting the code of conduct and ensuring that ethics assessments are conducted, as well as implementing policies and strategies to promote ethical conduct. The respondents also stated that in instances where there is unethical conduct, it is the duty of the ethics officers to ensure that the matter is dealt with accordingly.

It is the obligation of the ethics officer to carry out the necessary procedures when an employee reports misconduct in the respective department. The officer must engage the relevant authorities in the particular case, for instance the Provincial Treasury to then carry out the investigation on the matter. If the case is not a 'material' issue, i.e. not concerning financial loss for instance, then the ethics officer may investigate the matter internally as opposed to involving an external party. Another respondent added that ethics officers assist officials in terms of aligning with the ethical values of the department. Ethics officers:

> ... "set the tone" (for ethical behaviour) and this "cascades down to your ordinary employees."

In response to the issue of investigation, a follow-up question was asked on whether or not ethics officers are well-equipped and trained with investigative skills. The respondents provided varying responses. The experience of one ethics officer was that officers were not provided with sufficient resources or skills to conduct investigations. Consequently, that particular department decided that where a case of maladministration was brought to their attention, instead of ignoring the matter due to lack of capacity, the case was referred to the Provincial Treasury to assist with investigation of the case.

Another officer also highlighted the issue of lacking capacity, saying that cases require a preliminary investigation with assistance from the Department's Labour Relations prior to referral to the Provincial Treasury. However, the respondent stated that the Labour Relations section in that specific department lacked capacity. As a result, some cases have not been investigated. The informant provided an example whereby an employee in the department conducted business with the state involving illegal practices, but due to a lack of capacity for investigation, the matter was dropped without a disciplinary hearing.

One respondent did however allude to the capacity of ethics officers through the National Ethics Forum, which is chaired by the Department of Public Service and Administration. When meetings are conducted in this forum, ethics officers are informed of any new developments in legislation and policy, issues that the ethics officer should take into consideration and prioritise, as well as guidelines on the

various mandatory policies for each department. Another respondent added that ethics officers are annually provided with the opportunity funded by the province, to complete a programme for an international qualification as a certified fraud examiner. There is also training provided through the Ethics Institute which upon completion qualifies the officers as certified ethics officers. As a result, officers are generally provided with training overall.

6.3.2 State of whistle-blowing in the province

The second section of the research questions concerned the current state of whistle-blowing across the province in the various departments. The questions under this section sought to conceptualise the organisational culture across the province in the various departments concerning whistle-blowing. Questions here included how officers view the culture, covering areas such as the perception of whistle-blowing, and the policies as well as success of implementation of whistle-blowing policies.

6.3.2.1 Whistle-blowing culture in Gauteng Province departments

The second question posed concerned how the officers would describe the organisational culture in their departments with regard to whistle-blowing. The first respondent stated that their department maintained an open culture as employees are encouraged and reminded to blow the whistle if they became aware of any maladministration in the department. This is done through conducting ethics workshops as well as publishing quarterly newsletters. Another officer stated that the department encourages an open culture with regard to whistle-blowing, however, employees are deterred from it by lack of results. There is no consistency in how matters are handled after a disclosure has been made and, in some cases, years pass by before consequences are realised, if at all. Potential whistle-blowers ask themselves the question:

"If I blow the whistle, will my identity become known?"

Employees are thus in a dilemma where they are unsure if making a disclosure is worth the potential disclosure of their identity, particularly considering that the case may not be pursued and there will be no consequences for the perpetrator. One respondent shared that there were a number of employees in the province that were aware of several individuals allegedly involved in corruption, but only a few of those

wrongdoers faced disciplinary action. This breeds scepticism and silences whistle-blowers. The lack of action frustrates potential whistle-blowers because the individual allegedly involved in malpractice will usually remain employed in the organisation, making employees believe that there is no punishment for any form of wrongdoing.

One officer detailed that in some cases, the culture of corruption and silence is so rife that employees maintain that

> "If it is none of my business, I will not report it" (and) "If it is not going to benefit me somehow, I will not report it."

Making a disclosure is not attributed to a good culture or to whistle-blowing being a normal mechanism for accountability. Employees avoid it because when faced with the decision between job security and doing the right thing at the risk of their identity becoming known, they would choose job security.

6.3.2.2 Number of disclosures received in departments

The next question posed was on the average number of disclosures the various departments receive each month. The majority of the respondents stated that they receive between 0 and 1; one department receives between 7-8; one department receives an average of 7.

One of the ethics officers of a large department indicated that the department had been investigating approximately 68 cases this year, most of which were a result of disclosures, although arising from various institutions. A smaller number of respondents seemed uncertain of the average number of disclosures they receive monthly (if at all).

However, it was elucidated that the departments generally receive several enquiries from employees on procedures concerning ethics and whistle-blowing as well as decision-making in ethical dilemmas. One respondent alluded to the disclosure of wrongdoing being hampered by the hotline being dysfunctional for a period of time in which the number of disclosures reduced from about 15-20 to 0.

Additionally, the issue of consequence management was highlighted as one of the reasons for the low number of whistle-blowers in the various departments.

Consequence management dejects employees from reporting witnessed transgressions. Another respondent added that there has been a trend where individuals are making disclosures directly to the Premier and/or the Director General. This has been a reflection of the lack of trust and confidence employees have in their various departments.

6.2.2.3 Reasons why employees do not make disclosures
The following question concerned some of the reasons why employees are apprehensive about making a disclosure. As was alluded to in previous responses, one of the greatest challenges was that of consequence management. Employees do not see, or are not communicated with regarding the progress made following their disclosures.

In addition, another respondent emphasised the issues of safety and victimisation. The respondent provided an example of making a disclosure to a direct supervisor. One would follow the necessary outlined procedures of internal whistle-blowing and innocently disclose information to the supervisor or superior. However, in some cases the supervisor might be involved in misconduct as well which in turn makes the disclosure futile and damaging to the whistle-blower. Hence corruption in some departments is extensive to such an extent that potential whistle-blowers would rather remain silent because

> "You never know who is involved" (and when superiors are involved) ... "Instead of dealing with the reported matter, they focus on dealing with the individual who disclosed the matter."

This becomes a challenge because policy requires disclosures to be made through internal channels instead of external or independent channels. This, taking into consideration the uncertainty of how extensive the misconduct goes in terms of the involved parties, leads to silence.

Another reason why employees choose to not blow the whistle is that their identities may become known. One respondent shared that in some instances, individuals have connections to superiors or other parties that may have knowledge of the identity of the whistle-blower and that the identity may become known through these

connections. This means that there is no guarantee of anonymity after making a disclosure; there remains the risk of the revelation of the whistle-blower's identity.

6.3.2.4 Effectiveness of the process following disclosure

The following question concerned the effectiveness of the process that follows a disclosure. One challenge highlighted was that of a lack of information because complainants in some instances make disclosures before gathering enough information to support that claim. For example, the whistle-blower may not have information on when the transgression took place, where it took place or the amount of money stolen. This proves to be a problem for the ethics officer because he/she cannot conduct an investigation when not enough information is provided. This means the disclosure would not have yielded any results.

One ethics officer shared the challenge of implementation. The relevant parties may be aware of the due process but implementing this process proves to be a challenge. Another respondent added that

> "Most of these cases are investigated but majority of them are closed, either due to lack of patience or because we do not have a witness to support the claim."

Another challenge is that of the implementation of the results of the investigation. Some departments do, and other departments do not, implement the recommendations of disciplinary actions made by the ethics officer. In some departments the ethics officer reports directly to an accounting officer. However, the ethics officer does not have the authority to carry out disciplinary action. Ethics officers can only make recommendations to an accounting officer following investigation. If the accounting officer does not take any disciplinary measures against the perpetrator then the disclosure would not have yielded any results and the culprit remains unpunished.

Another pertinent issue raised by the respondents was that of the reinstatement of perpetrators following investigation. There have been cases where an individual is found guilty and faces appropriate disciplinary action such as dismissal but is reinstated in a different department in a new position. Additionally, some guilty individuals resign just before the matter is investigated. One respondent argued that

the challenge in this regard lies with the loopholes in legislation. If legislation provided against such occurrences, they would not take place.

Another challenge that was raised was the slow pace at which the criminal justice system functions. One respondent noted that their department had cases that have been under investigation by law enforcement since 2015/2016 and have still not been concluded. This means that in some cases the perpetrators are still in the system, and re-emphasises the issue of consequence management.

6.3.2.5 Challenges faced which affect the functionality of whistle-blowing
The following question regarded the challenges the respondents have faced that have undermined the functioning of whistle-blowing as an internal mechanism. One challenge raised is that of pressure from involved or interested parties on ethics officers to reveal the identity of the whistle-blower. Ethics officers are unable to do so, in order to maintain the whistle-blower's anonymity. This pressure could potentially become a threat to ethics officers, particularly in high profile cases.

Another respondent shared with the focus group that the mechanism of whistle-blowing is creating anticipation of guilt for the whistle-blower. This means that in some cases when making a disclosure the whistle-blower will have already concluded that the alleged wrongdoer is guilty. However, investigation in some instances may find and conclude that the alleged wrongdoer is in fact innocent and there is no corruption taking place. As the whistle-blower will have already concluded that the individual is guilty, employees then maintain that ethics officers protect certain individuals.

Another challenge is that some individuals make false allegations against other employees due to vendettas against fellow co-workers. This means that the ethics officer needs to thoroughly investigate reported matters to discern between true and false allegations.

The issue of the perception of protection of senior officials was also raised in the responses. Employees believe that consequence management seems to apply only to junior officials but senior officials and those with connections to influential authorities are exempt from investigation. In some cases, ethics officers have winnable cases,

but they are questioned by employees on why they are not directing their efforts to senior officials and only focusing on *'small fish'*. Due to fear, there are very few disclosures made concerning senior officials; this essentially incapacitates ethics officers as they cannot conduct investigations where there is no information or clear evidence of wrongdoing. However, employees perceive this lack of action against management or executives as protecting senior management. This becomes a challenge for ethics officers.

The issue of the 'tone at the top' was highlighted in response to this question as well in that top officials focus on fulfilling personal interests and this infiltrates the procurement process as well. This undermines the functionality of whistle-blowing as a mechanism as it is usually followed by intimidation of anyone who may betray the existing culture, diminishing any possibility of disclosure.

6.3.2.6 Policies on whistle-blowing

When asked about the policies that exist for the province concerning whistle-blowing in particular, the policies listed were the Whistle-blower Policy as well as the Integrity Management Policy and Framework. The Whistle-blower Policy lays out the procedures that must be followed to blow the whistle and the channels one can utilise to make a disclosure. The Policy also outlines the issues of protection of the whistle-blower as well as anonymity. There is an added mechanism which outlines the information required in order for the matter to be investigated. This means that employees in the various departments in Gauteng are provided with information on the processes and that which is afforded to the whistle-blower.

6.3.2.7 Measures taken to ensure success of policies

The respondents were asked about the steps that have been taken to ensure that the implemented anti-corruption and whistle-blowing policies assist in enhancing the ethical culture to institutionalise whistle-blowing. This question sought to understand the practical steps taken to ensure that the existing policies do not become toothless dogs but serve a purpose, which is to promote an ethical culture.

Some respondents maintained that the steps taken in implementing policies do have an impact but the extent is not satisfactory. The majority of the respondents were

strongly of the opinion that despite ethics officers playing their role in the implementation of policies, the efforts were in some cases futile because these efforts were not shared by senior officials. Some of the opinions shared were:

> "You can have the best policies, the best Code of Conduct, the best systems and processes. But for those things to work, you need individuals to drive it. The tone at the top has to be right."

> "If the top does not talk, and walk the talk, then you can have all these policies but they are not going to assist. They are not going to change the culture of the organisation."

As stated previously, some of the ethics officers report directly to the accounting officer. If the accounting officer or the relevant superior does not take the promotion of ethics seriously, then the policies become fruitless as leaders influence subordinates through speech and more importantly, behaviour. One respondent provided an example saying that letters had been sent to the executive authorities in various departments requesting feedback on the actions taken against senior managers accused of wrongdoing. Despite the financial year being close to an end, only 50% of the departments had responded and the other departments had not provided a response indicating the actions that had been taken on officials who contravened public service regulations. The letters continue to gather dust in those departments while some of the perpetrators remain in the system. This underlined the sentiments of one respondent who stated:

> "Until the higher-ranking officials show interest in fighting issues of corruption, then the problems will remain."

6.3.2.8 Measurables for the success of policy implementation

The next question concerned the measurables (if any) that are used to determine the successful or failed implementation of a policy. One of the measurables used is the information collated in the Auditor General's annual report. The audits conducted by the Auditor General's office are usually a reflection of the irregularities and compliance in the various departments. A high number or increase in irregularities indicates lack of compliance with the policies. The province also conducts ethics maturity assessments where the different departments must provide evidence of how the ethics requirements have been implemented and the impact thereof. In addition, the Public

Service Commission also conducts surveys across the provinces showing how much work has been done in implementing policy.

Other respondents stated that there no scientific tool was used to measure the success of policies. There were cases where the employees prefer to withhold knowledge of misconduct because of a lack of consequences in past disclosures. They stated that a lot of employees do not make disclosures due to a lack of trust in the system. Therefore, a decrease in the number of disclosures is not necessarily a reflection of more compliance to the ethical requirements. Some respondents noted that when there were events such as a road-show by the Public Protector or a launch by organisations such as Corruption Watch or a new hotline, whistle-blowers would flock to that channel for disclosure instead of making internal disclosures.

Another ethics officer's department produces a state of integrity report which covers matters such as implementation of the Financial Disclosures Act, grievances, cases under investigation and employees on suspension for misconduct. This assists as a mechanism to monitor the success of ethics implementation. The measurables therefore vary but are not always an accurate reflection of the state of ethical behaviour in the province.

6.3.3   Institutionalising whistle-blowing

Under this section, respondents were asked questions pertaining to solutions to the challenges experienced in the province concerning whistle-blowing and the perceptions of the respondents on the possibility of achieving an ethogenic organisational culture. Under this theme, respondents were asked questions concerning practical measures which could be implemented in order to institutionalise whistle-blowing as well as their personal opinion on whether or not they truly believe in the possibility of an ethogenic organisational culture being achieved.

6.3.3.1 Practical methods to institutionalise whistle-blowing

Another question pertinent to the research was on the practical methods that could be implemented to institutionalise whistle-blowing. One of the main concerns raised was that whistle-blowing is associated with bad behaviour and its positive aspects are not sufficiently emphasised. There is not enough discussion around good behaviour but

only the stigma and negativity surrounding whistle-blowing, as well as non-observance of the regulations. Respondents felt that there was a need for the positive aspects and benefits of whistle-blowing to be reiterated in order to bring comprehension and willingness to make disclosures.

Another issue highlighted was that of confusion by employees between the terms whistle-blower and witness. Employees are of the perception that when they blow the whistle, this automatically suggests that they must testify in court as a witness against the perpetrator. Hence potential whistle-blowers avoid disclosure due to fear of appearing in court as this means their identities become known which may subsequently create a threat to their employment, lives and families. The respondents were of the opinion that employees need more education on the investigation to the prosecution or disciplinary action stage in order to understand that their main role as whistle-blowers is to make the disclosure with the relevant information, and then through investigation, the necessary evidence will be exposed and justice will take its course. Other strong opinions shared were:

> "Change the leadership! You have got to get the right leaders because as a leader, people do what you do, not what you say."

> "If we have unethical leaders, we can talk until we are blue in the face. It is not going to change. It is all about leadership."

Another practical method suggested was the introduction of recruitment practices that focus on the ethical aspects of leadership in addition to skill and experience, particularly in the recruitment of executives as leadership has proven to be a challenge on the matter of influencing ethical behaviour. A further crucial suggestion made was that of creating a working environment where people will not be afraid of disclosing corruption. Departments need to create cohesion of all employees as well as inclusivity in the integration of new employees. Due to the connections that some employees have with the superiors to whom disclosures are supposed to be made, some employees find reporting the co-workers who have connections to supervisors, purposeless. This creates division as they are not a part of the organisation. This is not to say they desire to be part of the corrupt circle, but it becomes of no avail to be part of the minority of ethical employees.

Other respondents added the importance of ensuring that employees are content and feel that they belong to an organisation to which they can be loyal through strong employee relations. If employees are not well-included in the organisation and treated well, when they see wrongdoing, they do not feel compelled to be part of the solution. Working in the particular department becomes just a means for them to earn a salary without any true loyalty or desire to see the organisation thriving as long as there is no interference with their personal lives. The suggested solution to this challenge was an improvement in the employee assistance programmes which foster open communication amongst employees on issues such as debt for example, and thus, loans from the organisation which ideally should in turn reduce financial fraud. Employees need to feel that they identify with an organisation and they will serve the organisation with a sense of ownership and loyalty through building relationships and communication.

Another respondent referred to the issue of the existence of a "family tree" within the organisation. In particular departments, there will be a group of individuals working as a smaller unit within the entity. Because this family tree stems from the top, that means in some cases decisions are made within this "family tree" and are implemented in the name of the organisation when the reality is that there is a marginalised group of employees uninvolved in decision-making. The respondents added that this issue is particularly apparent in recruitment processes where some individuals are hired due to connections they may have with superiors. As a result, upon joining the organisation, they are integrated into the existing family tree. There is thus a need for fair recruitment practices conducted by independent, impartial parties that can verify information on potential candidates.

Finally, another suggestion made was to document and publicise successful whistle-blowing cases as this would let it be seen as a beneficial and overall instrumental mechanism which exists to bring positive change. It would encourage other public servants to make disclosures if they are aware of such successful cases.

6.3.3.2 Possibility of ethogenic whistle-blowing culture

Finally, the respondents were asked if they believed it was possible for South Africa's public sector to achieve an ethogenic organisational culture, in which whistle-blowing is an ingrained mechanism in the system. The majority of the respondents seemed uncertain as to whether this is achievable or far-fetched. A significant number believe that it is possible for an ethogenic organisational culture to be achieved if some active steps are taken such as the inclusion of all employees by dissolving the "family tree", political will and a change in leadership. Others suggested that political will could be reflected in the training of senior officials as well because currently, training is attended by junior officials only. If senior officials attend training sessions, this could (ideally) increase or ignite political will.

Other respondents felt that discussions around whistle-blowing reflected poorly on the ethical culture of the public sector because whistle-blowing is a reactive measure and the focus of ethics officers should be on preventative measures, i.e. how public sector employees should be avoiding fraudulent activities to begin with. Those who answered 'no' to the question were of this view because change in leadership does not take place easily. Thus, they were of the opinion that an ethogenic organisational culture will not be realised in the near future because leadership does not change overnight. There is much to be done to attain the ethogenic organisational culture. Another respondent stated that whistle-blowing cannot be ingrained as an internal mechanism and will only be successful as a mechanism if disclosures are made externally, to an impartial, independent entity.

6.4   DATA FROM INTEGRITY MANAGEMENT UNIT

The data from the Integrity Management Unit was collected through e-mail interviews. As laid out in the previous chapter, the Integrity Management Unit exists to promote ethics and good governance in the Gauteng Province through anti-corruption strategies. This unit thus serves as a valuable and reliable informant for this research. The interview schedule (Annexure B) for the IMU consisted of 11 open-ended questions to allow the respondents to share their experiences.

The questions were also divided into the following themes: roles of the integrity and ethics officers and the effectiveness thereof, the existing whistle-blowing culture and

the challenges regarding whistle-blowing and finally and the practical solutions which may assist in the institutionalisation of whistle-blowing.

6.4.1 Responsibilities of Integrity Management Unit and ethics officers

The questions in this section pertained to the roles of the Integrity Management Unit as well as the ethics officers. The questions concerned their roles, particularly in relation to whistle-blowing as well as how the IMU carries out its responsibility to monitor public servants across the province.

6.4.1.1 Role of Integrity Management Unit

The first question posed was on the role of the IMU. According to the responses to the GCR Integrity Management Policy, the role of the unit is broad and involves providing strategic direction, technical expertise, guidance, support, building capacity and monitoring Gauteng City Region institutions in effecting the Integrity Management System. The unit also serves in strengthening good governance through the review and implementation of the GCR anti-corruption strategy and integrity management policy, vetting strategy and transversal security management policies as well as ensuring implementation of compliance initiatives to legislative prescripts in the institutions.

The IMU is also the locus of co-ordination and oversight across Gauteng institutions' integrity management. They also provide confidential counseling services to GCR employees and business partners. The unit also collates reports to the Premier which are subsequently submitted to the Gauteng Legislature. These reports include an overview of the activities of the Office of the Premier and any evaluations and assessments relating to these activities.

The IMU also comments on rules, regulations, policies, procedures and practices that have come to its attention, and may make recommendations as appropriate and where necessary. On governance policy issues, the unit is also consulted as its expertise, views and experience may be useful. The IMU provides the Secretariat function to the Gauteng Ethics Advisory Council (GEAC) and this role includes, amongst others, coordinating and planning the activities of the GEAC, conducting research and investigation as per the brief of the GEAC, providing appropriate and constructive input

on matters for discussion by the GEAC and as a linkage between the Premier, Executive Council, external stakeholders and the GEAC. Additionally, the IMU facilitates the establishment of the centralised Anti-Corruption Enforcement Directorate for the GCR.

6.4.1.2 Effectiveness of the role of ethics officers

The second question asked on the effectiveness of the role of ethics officers in curbing corruption. In response to this question, the respondents outlined the roles of the ethics officers, namely to promote integrity and ethical behaviour in provincial institutions and to advise employees on all ethical matters. Ethics officers also identify and report unethical behaviour and corrupt activities to the various head of departments and manage conflict of interests. Additionally, they also assist to provide support to whistle-blowers. Ethics officers are capacitated with skills required to curb corruption such as certified ethics officer training. This allows them to train and advise employees on ethical and anti-corruption matters. The training and capacitation they are provided with allow them to be effective in their role as they have the know-how and are able to influence ethics.

However, some ethics officers report to and are accountable to the accounting officers. The challenge rises in cases where the accounting officer is not particularly working towards promoting ethics in the department. This affects the functionality of the office of the ethics officer because if the expectations of that role are fulfilled, which is to identify and report unethical behaviour, but there is no further action taken in punishing the perpetrator, that affects the effectiveness of the role of the ethics officer. The role does remain crucial and despite poor consequence management in some departments, it remains effective as the officers generally fulfil their role even when there may be a lack in follow-through by the respective superior thereafter. The manner in which the role in itself is carried out remains effective.

6.4.1.3 Role of Integrity Management Unit in whistle-blowing

The question that followed regarded the role of the IMU, particularly in relation to whistle-blowing. The informants stated that in relation to whistle-blowing, the unit develops whistle-blowing policy which will guide all GCR institutions on how and where members of the public and employees should report unethical behaviour. The work of

the unit is thus what determines the various channels to be utilised to make a disclosure as well as the precise procedure to be followed in making a disclosure for both members of the public and employees. The unit also provides support to whistle-blowers in the province when their reports are not attended to within the Gauteng provincial departments. There are instances where a whistle-blower's disclosure is not addressed, investigated or taken seriously. In this case the whistle-blower may then seek assistance from the IMU to advise or provide direction on the course of action that must be taken. The unit thus provides the guiding foundation and direction concerning whistle-blowing cases in the province. The unit also guides members of the public on the route to be followed when they require protection.

6.4.1.4 Monitoring of public servants by the Integrity Management Unit
Part of the duty of the IMU is to monitor public servants in the province. The question was asked on how the unit carries out its mandate of monitoring. The unit annually conducts financial interest disclosures to all members of the Senior Management Services (SMS), Deputy Directors as well as employees at high risk units such as Finance and Supply Chain Management. These are the senior officials as well as employees in departments that are prone to corruption due to the nature of their services and functions.

The IMU also vets new employees when they are employed in the organisation and requests that they disclose their financial interests before they commence their duties in order to ensure that they are ethically above board. This is to maintain ethical behaviour and to promote transparency.

Every five years, those working with confidential and sensitive information are also vetted to ensure that there has not been any malfeasance with the sensitive information to which they have access. This is also done to ensure that ethical behaviour is maintained, and particularly in relation to whistle-blowing, that all information that is required to remain confidential does not become public, which would risk the lives of whistle-blowers. Vetting such employees thus maintains anonymity.

Other responses pointed to the current drafting of national policy which will provide for lifestyle audits to be carried out. If this policy is passed, it will serve as a means to audit the lifestyle and the assets of public servants in comparison to their earnings as well as their business interests. This would also be another manner in which the IMU monitors public servants and ensures that they are maintaining ethical behaviour.

6.4.2 Whistle-blowing organisational culture

The questions under this theme referred to whistle-blowing organisational culture and the measures which have been put in place in order to embed whistle-blowing into the culture. The section also brought to light the measurables utilised in considering the success of the implemented policies. Furthermore, the respondents were asked about the challenges faced by the unit in the efforts to institutionalise whistle-blowing.

6.4.2.1 Whistle-blowing organisational culture in the Office of the Premier

The following question posed was to determine whether or not the Office of the Premier promotes and maintains an organisational culture that promotes whistle-blowing. The respondents answered with a firm "Yes" because the tone is set at the top. They highlighted the Premier, David Makhura's efforts and harshness towards corruption and unethical behaviour and that he continues to take strides in promoting ethical behaviour, e.g. through the establishment of the Gauteng Ethics Advisory Council.

The Premier strongly encourages all public servants to report misconduct if they become aware of it and to make use of the various platforms such as the Hotline, as well as to report any corruption to the designated individuals. Employees are consistently reminded of the protection that is afforded to them in the event that they blow the whistle and this encourages them to make disclosures. They are assured of the protection of identity in the event that they make disclosures. There are departments across the province where the tone is not set at the top and senior officials are involved in corruption. However, the Office of the Premier strongly maintains and promotes whistle-blowing.

6.4.2.2 Countering the fear of whistle-blowing

The fear of retaliation and of action not being taken was a common theme in the literature regarding why employees do not blow the whistle. The following question posed in relation to this was on how the Integrity Management Unit ensures that this is not the case in the Office of the Premier and Gauteng as a whole. The respondents stated that the IMU is currently working with the provincial Communication Services to ensure that the names of those found by a court of law, guilty of unethical behaviour be publicised for the public and employees to know that this behaviour is not tolerated and action is taken when reported. This will assure potential whistle-blowers that making a disclosure is not in vain when they see other culprits face the consequences of their actions.

The IMU also makes efforts to ensure that all the disclosures made are treated with confidentiality and only a few employees have access to this information. The unit prioritises confidentiality and is strongly against misuse of confidential information to ensure that this private information is not breached. The employees who have access to such information need to be highly ethical individuals because failure to adhere to the requirements of maintaining confidentiality and protecting sensitive information could put the jobs or the lives of whistle-blowers at risk. Ensuring protection of this information encourages whistle-blowing. The unit also gives the role of managing reports and reporting mechanisms to an external service provider.

6.4.2.3 Measures to institutionalise whistle-blowing

The following question pertinent to whistle-blowing in the Gauteng Province was on the measures that have been put in place by the unit to institutionalise whistle-blowing. One of the paramount roles played by the unit is the development of the Whistle-blowing Policy which is presented to the forum of Heads of Departments and the Executive Council. Upon approval, the policy is adopted by all departments under the Gauteng Provincial Government. The unit also established the Gauteng Ethics Hotline which is managed by an external service provider on behalf of the unit. This allows whistle-blowers to feel safe to make a disclosure.

The IMU also encourages employees to make use of the National Anti-Corruption Hotline or to the ethics officer/ethics champion in their departments. Employees are

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encouraged to alternatively make a disclosure to external individuals, e.g. directly to the Office of the Premier. The unit thus plays a major role in encouraging the reporting of unethical behaviours and in raising awareness with employees on the different channels to which they have access, in order to make disclosures. Having various channels of disclosure allows the whistle-blower to have different alternatives, which is a necessity, particularly in cases where whistle-blowers for any reason, do not have trust in the provided internal mechanism.

6.4.2.4 Measurables for success of whistle-blowing

The following question pertained to how the unit measures its success in enhancing integrity and promoting whistle-blowing. The respondents gave examples such as the number of disclosures made through the Gauteng Ethics Hotline. One of the main purposes of the hotline is for employees to report wrongdoing. A rise in the number of disclosures made through the hotline is a reflection of employees' willingness to report misconduct and of success in promoting whistle-blowing.

The respondents also made mention of the perception surveys that are conducted by independent assurance providers which give an indication of how the provincial efforts to deal with corruption are being viewed by members of the public. The surveys provide clarity on the dependability of the disclosure channels and the perception of the dependability thereof. Public perception serves as an important indication of the success of the promotion of whistle-blowing. In addition, the Integrity Management Unit also makes use of flyers and pamphlets which are printed and distributed to all employees and also the public during community engagements by political leaders.

6.4.2.5 Challenges faced in normalising whistle-blowing

When asked about some of the challenges that the IMU has faced in their efforts to normalise whistle-blowing, one of the issues highlighted was that of fear. Some employees still fear that their identity will not be protected if they make a disclosure on unethical behaviour through the channels that are provided in the policy. Employees may not have trust in the system.

Another issue raised is the turn-around time in dealing with reports of members of the public. This is an area that must considered for improvement as there has been a trend

where is seems that disclosures made by members of the public are not given attention and not treated urgently. These cases are reported through the channels of disclosure provided for the province and thus the individuals involved in the reported cases are not likely to face any consequences.

Furthermore, the criminal justice system in South Africa is slow-paced and takes long periods of time before prosecution occurs. This is an area that continues to be a challenge across the province which reduces trust in the system from both employees and members of the public. When consequences are faced and they are visible, potential whistle-blowers see that their disclosure will have effect and serve a purpose. Lack of prosecution betrays the efforts of the IMU in encouraging whistle-blowing as whistle-blowers do not see the intended results of the disclosures.

6.4.3 Measures to institutionalise whistle-blowing

The final section of the questions focused on the practical measures which can be put in place in order to normalise whistle-blowing in the public sector, in this case with the Gauteng Province as the point of discussion. Finally, the respondents were asked about their personal views on the possibility of an ethogenic organisational culture being achieved in the public sector.

6.4.3.1 Practical steps towards institutionalising whistle-blowing

The respondents were then asked what practical methods, in their opinion can be implemented in order to institutionalise whistle-blowing. One suggestion raised was the training of employees on whistle-blowing functions in the province so that they fully comprehend that they can report anonymously. The fear felt by employees is due to a lack of trust in the system as well as the culture and perceptions around whistle-blowing. Fear of identity becoming known indicates that there is a stigma surrounding whistle-blowing and that individuals do not trust that the individuals to whom disclosures are made will not be able to protect the identities and lives of whistle-blowers. Respondents thus emphasised the need for training to promote trust in the system so that employees are assured that anonymity will be maintained.

Other respondents suggested that the whistle-blowing system throughout the province be managed externally by individuals not known by employees so that they are

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comfortable to report to someone they do not know. This assists employees who may not trust the individuals to whom they currently have to make internal disclosures. If for any reason employees fear that the superior to whom the internal disclosure must be made is involved in the suspected or witnessed wrongdoing, it would be instrumental for them to have an external channel to which they make disclosure.

Another noted practical suggestion was that whistle-blowing information needs to be communicated to employees through posters in the lifts, walkways and restrooms in the workplace so that employees are frequently reminded of where and how they can report wrong-doing in the workplace. Employees need to be familiarised with whistle-blowing until it is entrenched and normalised in the organisational culture.

6.4.3.2 Possibility of institutionalisation of whistle-blowing

Finally, the respondents were asked if they believed that it was possible for whistle-blowing to become ingrained as another internal mechanism in the organisation as well as the province. The respondents believe that an ethogenic organisation can be achieved if the tone is set at senior level. This is to say that good leadership is the solution to the challenges surrounding whistle-blowing and ethics. Political leadership and senior management need to practise what they preach and to lead by ethical principles. Strong ethical leadership would have a positive impact on the public sector.

The respondents reiterated the importance of reminding employees that when they make disclosures, their identities will remain anonymous. If employees are able to report wrongdoing without fear and their identities indeed remain protected, this will normalise whistle-blowing. Subsequently, action must be taken following disclosure. Another important consideration to be made is for those found guilty by the court of law to be punished and their names publicised. The respondents again emphasised the significance of consequence management which encourages whistle-blowers to make disclosures as the offender faces the necessary ramifications.

6.5   ANALYSING THE DATA

The previous section provided a well-detailed presentation of the responses attained from the focus group discussion with the ethics officers of the GPG departments as

well as the e-mail interviews conducted with the IMU in the Office of the Premier. The following section will provide an analysis of the data presented in the previous section.

6.5.1 Berry's framework

As stated in the introduction of this chapter, a thematic analysis of the data results will be made using Berry's 'seven dimensions of organisational culture that influence the employee reflection process that ultimately leads to whistle-blowing behaviour'. The dimensions provided by Berry each contain cues and explain how they encourage or hinder whistle-blowing. All the dimensions manifest through organisational culture and according to Berry (2004:2) "the collective culture influences employee reflections that ultimately result in a decision to speak out, or not." This section will go through each dimension and outline how each can be compared to the current state of whistle-blowing organisational culture based on the responses from the data collection, of the GPG departments fit into the compliance framework.

6.5.1.1 Vigilance

The first dimension listed by Berry is 'vigilance'. Berry argues that in order for culture to be influenced to promote employees reporting misbehaviour, organisations must promote not only commitment to ethical values, but also ensure that there are shared values and understanding of the ethical standards expected by the organisation. Employees must also be watchful of anything that proves to be a threat to organisational integrity.

Employees must be trained on the standards and values laid out in the code of conduct. However, "the most fundamental and powerful values of an organisation are not written down and exist only in the shared norms, beliefs, and assumptions reflected in the organisation's culture". There must be commitment to educate and train employees on organisational expectation which facilitates behavioural norms and perceptions (Berry 2004:3). Berry emphasises that training mechanisms should not be restricted to formal meetings that are facilitated due to mandatory requirements. Creating shared understanding of expected norms, standards and behaviours occurs through continual dialogue with employees, which subsequently bring forth relevance, further interpretation, and clarity as well as an understanding of application.

Berry thus suggests organisations adopt training and education strategies which promote and reflect vigilance on the part of the organisation, e.g. newsletters, e-learning, coaching, e-mail alerts and informal discussions. From the data collected in the focus group interviews, one respondent made mention of the training offered to ethics officers for certification. It is evident that ethics officers are provided opportunities to capacitate them in their expertise on ethics implementation. This reflects vigilance in the province's efforts to strengthen the effectiveness of ethics officers/champions' roles.

On the other hand, only one respondent added that their department conducts workshops for the unique situations encountered regarding whistle-blowing and ethics as well as making use of newsletters. Other respondents stated that employees do not receive any mandatory formal training on whistle-blowing specifically and that the province had only recently started to gradually roll out ethics online to employees. Another respondent also added that their department has meetings once or twice a year and reminds employees of the avenues available for disclosures when necessary. This unfortunately does not depict the dimension of vigilance as explained by Berry (2004).

The responses provided indicate that there are not enough efforts in ensuring mandatory training and education of employees on whistle-blowing. This is also reflected in the responses to the questions concerning the practical methods that can be utilised to embed whistle-blowing. Responses from the focus group interviews as well as the e-mail interviews alluded to a need for training, conveying that training of employees on ethics and whistle-blowing is currently not effectively implemented. Similarly, some ethics officers felt that they were not well-trained in terms of capacity to conduct investigations. This affects the process of prosecution, making whistle-blowing ineffective.

As stated in the findings, one respondent argued that ethics officers are in fact provided with opportunity for training, particularly concerning policies, through the National Ethics Forum. From this data, one can conclude that there are efforts to capacitate ethics officers but only in some areas. Officers seem to be knowledgeable

on policy, but not in other areas such as investigation or how to practically create an environment where whistle-blowing is normalised.

Another challenge raised in the responses is the lack of training of senior officials. One respondent pointed out that trainings are usually attended by junior officials, and that senior officials usually send junior officials to attend these trainings but they themselves do not take interest in being educated on ethics and whistle-blowing. This again reflects a lack of vigilance as the commitment to educate must emanate from the leadership. There is thus not only a lack of formal meetings, but the lack of formal meetings eliminates the possibility of the ongoing, frequent dialogue eliminates the possibility of the ongoing, frequent dialogue which facilitates understanding. As highlighted in the literature, one characteristic of organisational culture is communication patterns (Table 1.1). Bureaucratic structures must promote communication within the organisation and from the discussion in this section, the organisational culture in the GPG departments does not seem to foster communication.

6.5.1.2. Engagement

Engagement as a dimension focuses on both the individual and the organisational factors and how they contribute to the level of employee involvement in the organisation. According to Berry (2004:4), the recruitment, orientation, management and socialisation amongst employees influences the standard and quality of engagement. When these organisational processes are well-managed, this enables identification with the organisation and organisational commitment which in turn promotes a culture of engagement supporting whistle-blowing (Berry 2004:4). Employees will ask themselves:

"Do I believe in the values of this organisation?"

"Are they congruent with my personal values and beliefs?"

"How attached am I to the organisation?"

"What am I willing to do on behalf of the organisation?"

The values of employees must be aligned with the organisational values. If there is conflict between these two, employees are likely to lack commitment to the organisation (Schwepker 1999:303). When an employee upholds a high level of ethical

standards but the organisational culture maintains low ethical standards, the employee is likely to experience conflict internally (Shafer 2002 in Berry 2004:4). Kristof (1996:3) argues that organisations seeking to uphold a high standard of ethics, including values related to disclosure of unethical behaviour, must ensure that the values of new employees fit into the organisational values during the selection process. In that manner, the employee, when faced with a dilemma will make a decision that serves the organisation.

The responses from the interview reflect very little engagement with the GPG departments. This is seen through the responses provided stating that there is inconsistency in the recruitment practices, as observed in the 'family trees' which exist within departments. Employees are not necessarily recruited based on their ethical values which are parallel to those of the organisations. New employees in some instances are only hired based on the connections they have within the organisation but do not contribute to the ethical success of the organisation. This is also consistent with literature (section 1.2.1.2), according to Persson et al. (2013:455) who maintain that nepotism is a common feature in the South African public sector. This creates ethical conflict within the employees that do uphold ethical standards.

The converse is also true. Some employees maintain high ethical standards as required, for instance the ethics officers, but in some departments the superiors to whom they account do not maintain this same high level of ethics. This reiterates the issue of internal conflict highlighted by Berry (2004) because employees are forced to withhold information of wrongdoing when those who influence the culture are not committed to ethical culture. Consequently, there seems to be a level of misalignment of values between organisational values and individual values, reflecting the whistlegenic nature of the GPG departments' organisational culture. As maintained by Hunt (1998:533), in such organisations, there is "dissonance in the values held by stakeholders and by the organisation in practice" and this is reflected as true of the GPG departments from the findings of this study. It is important to note that organisational values are reflected in the behavioural patterns and beliefs as opposed to the written values.

Due to the mismatched values, when employees are faced with a decision upon witnessing wrongdoing, they may decide that "If it is none of my business, I will not report it". Decisions such as this are also fuelled by the fear of disclosing which again, stems from existing opposing values between the individual and the organisation. Ethical employees will fail to identify with an organisation that tolerates unethical behaviour. This resembles the characteristics of a whistlegenic organisational culture as noted by Hunt (1998) stating that organisations with such a culture create a climate of fear.

Additionally, one of the respondents raised the issue of strong employee relations. Although such relations do not necessarily speak to the integrity of the organisation, they do contribute to the employees' integration and identification with it. As stated by a respondent, that there are no strong employee relations, which in turn leads to employees not having a sense of belonging. The organisation serves the employee by providing a salary and there is no sense of loyalty from the employee towards the organisation. Such a scenario proliferates the difference in values because if the employee does indeed ask the question, "What am I willing to do on behalf of the organization?" the response is likely to be "very little". Employee relations thus also play a major role in organisational engagement. This is consistent with the organisational characteristic of identity in Table 1.1. Employees must feel a sense of belonging to the organisation in which they work and this is also a value of the GPG as mentioned in section 4.2.3. However, as reflected by the findings, this is not the case in some Gauteng provincial departments.

6.5.1.3 Credibility

Berry maintains that where engagement is not sufficient to encourage whistle-blowing, employees will seek to understand the commitment to integrity by the organisation. The credibility of the organisational culture will either encourage or discourage whistle-blowing and employee perception of this credibility is determined by leadership behaviour (Berry 2004:5). This reinforces Schein's levels of culture where he discusses espoused values. Employees draw comparisons between the ethical requirements of stipulated policies and the behaviour displayed by leadership; if the two are inconsistent, employees must attempt to reconcile them (Berry 2004:5). In

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reconciling, they are likely to become more influenced by the espoused values reflected in the behaviour of leaders.

In order to foster credibility, it is necessary for leaders to model behaviours as outlined in the policies (Berry 2004:5). Demonstration of commitment to an ethical culture fosters a safe environment and strengthens trust which encourages whistle-blowing. The ethics maturity assessments as well as the audits performed by the Auditor-General reveal the credibility of a department which are a representation of the ethics of departments.

Credibility is also demonstrated by consistency in discipline (Berry 2004:5). Berry maintains that

> "Rewarding managers with promotions or high visibility assignments when these managers are known for tolerating questionable or unethical practices will undermine credibility" (and similarly) "punishing individuals who report misconduct by denying them advancement opportunities communicates the organisation's indifference towards whistleblowing."

No wrongdoer in the organisation should be immune from consequences. It is of significant importance that the IMU conducts financial interests' disclosures as well as the vetting of new employees to ensure credibility.

From the responses in the focus group session, as well as the e-mail interviews, it is apparent that employees do indeed observe the behaviour of superiors and face challenges when that behaviour is inconsistent with the written requirements. There is not always a demonstration of correct ethical behaviour in some departments, which proves to be a challenge for employees. Some senior officials pursue self-interest and neglect the duty of serving the citizenry which diminishes credibility. A lack of credibility will result in a lack of disclosures.

It is important to note, as gathered in interviews with the IMU, that the Premier of Gauteng sets the tone from the top by continuing to make tremendous efforts in the fight against corruption in the province. This is behaviour which employees in the Office of the Premier and employees across the province should ideally mirror through observation.

As stated by Berry (2004), there is a need for consistency in the disciplinary action taken against perpetrators. Throughout the focus group interview and as mentioned in the e-mail interviews, there is a great challenge faced with regards to consequence management. There is no consistency in the manner in which wrongdoers are punished. This is due to multiple reasons such as connections, which exempt some individuals from punishment, or a lack of urgency towards the reported matter. This inconsistency serves as a deterrent from whistle-blowing.

One of the respondents also observed that there have been cases where a perpetrator was found guilty of wrongdoing and instead of being prosecuted the individual was reinstated in a different department. This serves as an indication of tolerance of unethical behaviour and that misconduct is rewarded. In addition, some respondents maintained that lower level employees feel that senior management is immune from repercussions of maladministration. Reinstatement following involvement in corruption is not a privilege afforded to junior staff members unless they have connections to those in a position to help them retain their positions. It is challenges such as these that have a negative effect on the credibility of the organisation.

6.5.1.4 Accountability

Berry again emphasises the importance of espoused values as they are observed and that thereby influence employee behaviour. Concerning accountability, employees may ask themselves,

> "Is it my job to report?"
> "Isn't this someone else's responsibility?"
> "Why should I get involved? After all, I am not the only one aware of what is going on here" (Berry 2004:6).

Employees who witness wrongdoing but feel that their position does not require them to report it are likely to withhold the information (Miceli et al. in Berry 2004:6). To this situation, Berry suggests that organisations adopt compliance programmes, e.g. by specifying ethics responsibility as part of job descriptions. Organisations must also add a requirement for employees to formally acknowledge receiving and comprehending

the organisation's Code of Conduct as well as organisational expectations to disclose wrongdoing regardless of one's formal job description (Berry 2004:7).

Employees in Gauteng Province seem to be aware of the role they play in whistle-blowing as part of the organisation. The responses of the IMU reflect that it makes efforts to ensure that employees are aware of their responsibility in anti-corruption, through whistle-blowing. Employees are encouraged to blow the whistle on corruption. The unit has also ensured that departments are furnished with the Code of Conduct and ethics officers then ensure that employees are aware of the Code and most importantly, that they adhere to it. The roles of the ethics officers and the IMU are principal to the adoption and adherence to the Code of Conduct as reflected in the data.

The challenge is that awareness of the Code of Conduct, although important, does not necessarily serve as assurance of whistle-blowing action from employees. This echoes Dorasamy's (2012:506) sentiments highlighted in Chapter One that legislation alone is not enough to encourage ethical behaviour. Unfortunately, as alluded to in a common theme in the data, a lack of consequence management and observation of unethical behaviour from leadership prove to be the most influential hindrances to whistle-blowing. Therefore, although the expectation is stipulated, espoused values as explained by Robbins and Judge (2011:544) will play a greater role in the decisions made by employees when faced with the decision to make a disclosure.

6.5.1.5 Empowerment

Whistle-blowing is an instrument that exists to affect change in the practices of organisations (Berry 2004:7). In contemplating the decision to blow the whistle, an employee will ask

> "Who will listen to me?"
> "Will anyone believe me?"
> "Can I make a difference?"
> "Will I even be heard?"

In most cases, lower ranking officials feel that they do not have enough power to bring about change in the organisation (Berry 2004:7). In order for an organisation to

mobilise employees to disclose misconduct, its employees must be empowered to do so. Empowering employees gives them authority in decision-making and makes them responsible for the results thereof (Berry 2004:7). According to Berry, this is done through the creation and fostering of an organisational culture that welcomes and appreciates employee contributions (Berry 2004:7). This also includes having meaningful conversations with employees, as well as encouraging employee participation in the decision-making processes which have an effect on their work environment. Berry (2004:8) highlights that

> ... "repeated experiences that communicate [that] the organisation does not truly value employee participation, is not open to alternative perspectives, or will not tolerate employee dissent will compromise trust and leave employees feeling powerless."

The sentiments shared by Berry mentioned above are true and visible in the Gauteng provincial departments. Once again, it is important to highlight the issue of consequence management. As many guilty individuals are unpunished following a disclosure, this communicates a message that unethical behaviour is acceptable, which has compromised trust in the system, subsequently leading to employees believing that they cannot affect change. In some departments, corruption is rife to such an extent that some employees feel that reporting misconduct is futile. This is a characteristic of a whistlegenic organisational culture. As highlighted in section 2.5, an organisation with such a culture fails to rectify wrongdoing. This in turn, as stated by some respondents, has led to some employees choosing to make disclosures directly to the Premier or the Director-General. Reporting outside the department reflects a lack of trust in the internal systems. Hunt (1998:533) also states that whistlegenic organisational cultures have visible internal failures. There are evidently some internal failures in relation to whistle-blowing in GPG departments.

Another challenge emphasised by the respondents is that the fear of making a disclosure. As stated by one respondent, in some cases, senior officials or those involved in corruption may choose to deal with the whistle-blower and not the actual case in question. This reiterates whistle-blowing literature which emphasises whistle-blower perceptions and retaliation. One of the characteristics of organisational culture provided by Robbins and Judge (2011:544) in the literature review is conflict tolerance,

which refers to the level at which the organisation encourages employees to voice grievances and conflicts.

As stated in the literature review, Uys (2007:907) found that many whistle-blowers feared the various forms of retaliation whistle-blowers experience. This incapacitates potential whistle-blowers and disempowers them as they are the ones who may be eliminated instead of the problem. This is true of the findings of this study as reflected in the low numbers of disclosures made to the ethics officers as shown in the data presentation (section 6.3.2, ii). Although this may not be attributed to a lack of empowerment alone, lack of empowerment undoubtedly does affect the attitude employees have towards whistle-blowing. However, it is important to acknowledge that the respondents in the focus group interview did attest to receiving enquiries on ethics from employees. Although not disclosures, enquiries are a reflection of interest in ethical behaviour.

6.5.1.6 Courage

Near and Miceli (1995:679) maintain that whistle-blowing could potentially cause harm to the whistle-blower. In many organisations whistle-blowers are not seen as heroes but as employees who are disloyal to the organisation and as discussed in the literature review of this study, whistle-blowers are castigated and may be demoted, isolated or their services even terminated from their places of employment. They suffer both professional and personal consequences (Dwyer et al. in Berry 2004:8). As a result, in making the decision to blow the whistle, an employee will consider the following:

"What will happen if I go forward?"
"Will anyone support me?"
"What risks are involved?"
"What can I afford to lose?"
"Am I committing career suicide?"
"Is it worth it?"
"What if I am wrong?"

In making these considerations, if employees fear for their security, the decision will be to do nothing. According to Kerfoot 1999:238), "integrity is impossible without a

highly developed sense of courage". Berry (2004:8) adds that in order for courage to be developed in an organisation, management must be responsive to employee grievances and create an environment in which employees are comfortable with voicing their concerns. Additionally, whistle-blower policies should provide for the protection of whistle-blowers and provide for internal disclosure channels (Berry 2004:8).

As highlighted in Chapter Two, Hoffman and McNulty's (2009:7) UDTW provides "a lack of knowledge within the organization of the wrongdoing or failure by the organization to take corrective measures" as a condition for whistle-blowing. To this, the theory also exempts an employee from whistle-blowing if "one has credible grounds for believing that by doing so [whistle-blowing] one would be putting oneself or others at risk of serious retaliation."

Fear was one of the themes underlined in the literature review as well as in the responses collated for this study. Uys (2008), Holtzhausen (2013) and Isparta (2014), as alluded to in Chapter One, all found that public officials in South Africa avoid making disclosures from fear of retaliation. This depicts little change in the public sector as fear continues to be emphasised as a reason why employees fail to make a disclosure. This was highlighted in both the e-mail interviews and the focus group interview. In answering the reflection questions under this section as laid out by Berry, the questions listed would ultimately lead to a potential whistle-blower choosing to do nothing because of the risk that comes with making a disclosure. As stated by respondents, employees particularly fear that their identities will not remain protected leading to loss of employment. Hunt (1998:533) states that a whistlegenic organisational culture can be identified by a sustained culture of insecurity. Gauteng Province can thus be characterised as whistlegenic in this regard as employees do not have a sense of security when they are considering making a disclosure.

A great majority of the respondents made mention of the issue of fear on the part of employees, which confirms that this is a challenge across provincial departments, and possibly the public sector of South Africa as a whole. There is no sense of courage in reporting wrongdoing. Based on Hoffman and McNulty's (2009) above-mentioned condition for exemption from whistle-blowing, if a large number of employees fear

making a disclosure, this essentially paralyses the public service from doing so. The IMU does however continue to make efforts to encourage whistle-blowing, but these efforts are met with fear.

On the issue of responsiveness from management, the responses reflect that there are departments in which senior officials do not treat matters urgently. This lack of urgency discourages employees from blowing the whistle. In some cases, management may indeed be responsive, but unfortunately the criminal justice system is very slow. One respondent provided an example of a case that has been under investigation since 2016 and the perpetrator has not yet faced prosecution. The level of responsiveness is thus a challenge in some cases due to management or due to the criminal justice system. There is evidently a lack of capacity and/or urgency in the criminal justice system.

The existence of the IMU is essential to the success of the whistle-blowing system. One of the major roles of the unit is establishing the Whistle-blower Policy for the province and ensuring it is put into effect appropriately. As required in this section of Berry's compliance framework, the Whistle-blower Policy does provide for the protection of whistle-blowers and employees are made aware of this protection by the departments' ethics officers as well as the IMU itself. The unit also assists where there is a lack of responsiveness following internal disclosure and provincial employees as well as members of the public are able to seek support from the unit. Given the role of this unit, the potential whistle-blower should be provided with the support needed to have the courage to disclose.

6.5.1.7 Options
In the decision to blow the whistle, the final stage is deciding to whom the disclosure must be made. In making this decision, an employee will contemplate the following:

"Who am I going to tell?"
"Who can be trusted?"
"How long will the process take?"
"Is it wrong for me to report anonymously? After all, open communication is a highly valued aspect of the culture here"
"Is the hotline really anonymous?"

The decision to act or to not act will be dependent on the feasibility and reliability of the available options (Berry 2004:9). Disclosures being made to the direct supervisor are the ideal option for internal disclosure. However, employees face dilemmas if there is any reason to believe that the superior may be biased, or possibly involved in the alleged wrongdoing (Berry 2004:9). Organisations must thus have external, anonymous and confidential channels to which disclosures can be made, such as hotlines. Additionally, organisations must ensure that employees are well-educated on the functionality of these anonymous channels and on how to effectively utilise them. Such channels must be credible in order for employees to trust in their dependability and make use of them.

Employees must be encouraged to make external disclosures only after exhausting the internal channels and be provided with guidelines on the significance of collecting sufficient evidence prior to reporting misconduct to ensure availability of information for disclosure (Berry 2004:10). Overall, employees are more likely to make a disclosure when they are provided with multiple options. However, the provision of several options is not necessarily a guarantee that employees will be more compelled to make disclosures. Ultimately, "the compatibility of these options with the beliefs and norms that dictate 'how things are really done' in the organisation will determine employee-reporting behaviours" (Berry 2004:10).

All of the above-mentioned factors were discussed in the data collection. The IMU ensures that provincial employees are aware of the multiple options available to them to make disclosures to their superiors, ethics officers, through the externally managed hotline and where necessary to the unit itself or directly to the Premier. This ensures that employees are comfortable enough to make a disclosure through at least one of the channels provided.

While having multiple options for disclosure, Berry also underscores the importance of having no tolerance for false or malicious disclosures (Berry 2004:10). One respondent in the focus group did allude to there being some employees who make false claims due to vendettas against co-workers. There is a need for ramifications

against such actions, which will in turn assist with employees understanding how to appropriately and effectively make use of the alternatives afforded to them.

Regulation requires employees to make an internal disclosure before disclosing externally. However, as alluded to by Berry concerning supervisor bias, this is the case in some Gauteng provincial departments. One respondent stated that some employees fear making disclosures because the superior may also be involved in the suspected misconduct. This terminates the possibility of internal disclosure. The provision of several channels does thus serve the province well as all employees are then not limited to disclosing solely to their supervisors.

In some cases, employees report wrongdoing to the ethics officer. However, as found in the study, ethics officers are not able to implement any form of disciplinary action. This raises the challenge of lack of disciplinary action particularly when the superior who is able to carry out an action against the wrongdoer does not pursue the matter. This limits the scope of options available to employees, forcing them to make the decision to make external disclosures.

As stated by Berry (2004), the decision to disclose will ultimately depend on the prevailing culture and not necessarily the number of options available for disclosure. Respondents continued to highlight issues of fear and lack of consequence management. One can conclude that these are the main influences on whistle-blowing in the Gauteng Province. However, providing multiple options may prove to be useful and in future allow employees to feel sufficiently free to make disclosures.

6.6   SUMMARY AND CONCLUSION

This chapter explored the responses provided in the focus group interview and the e-mail interviews conducted for the purpose of this research. The data collection was carried out with the ethics officers of the Gauteng provincial departments and the IMU of the province respectively, as described in Chapters One and Four. The results revealed that the IMU has made strides in promoting whistle-blowing and ethics in the province through its policy development and policy advisory roles. The unit has also contributed to the efforts to ensure that public sector employees in the GCR are aware of the whistle-blowing process and the protections accompanying that process.

However, these efforts have been met with an embedded organisational culture in which whistle-blowing is stigmatised and feared for the consequences that follow. The literature review in Chapter One showed that employees fear making disclosures for fear of retaliation and victimisation; currently, this unfortunately rings true for the Gauteng Province.

The main challenges observed by the respondents concerned consequence management and leadership and how these two aspects have negatively impacted the success of whistle-blowing. Other issues such as lack of capacity, lack of trust in the system, loopholes in legislation, lack of responsiveness and "family trees" within the organisation, also arose in the discussion. Ultimately, all of the challenges circled back to issues of leadership and poor consequence management. Taking into cognisance the findings, analysis and the concept of whistlegenic organisational culture, one can typify the province's organisational culture as being a whistlegenic one, notwithstanding efforts by the Office of the Premier to eradicate corruption.

The questions outlined as well as the responses were significant in fulfilling the objective of this research: to explore an ethogenic organisational culture and examine the possibility of achieving an organisational culture in which whistle-blowing is entrenched. Despite the challenges faced in the public sector, specifically in Gauteng Province, the ethics officers and the Premier, with the support of the IMU continue to make efforts to educate and provide public sector employees with the necessary tools to encourage and empower them to report corruption.

CHAPTER SEVEN
SUMMARY OF CHAPTERS, RECOMMENDATIONS AND CONCLUSIONS

7.1   INTRODUCTION

Whistle-blowing is an important part of curbing corruption, particularly in a country such as South Africa in which the public sector is systemically corrupt as indicated by literature on this topic. Unfortunately, due to the nature of the public sector organisational culture, reporting of wrongdoing is feared and as a result, there is no will to make disclosures. Due to the stigma surrounding whistle-blowing, transforming it into another internal mechanism to curb corruption has proven to be a difficult task. Taking into consideration previous whistle-blower cases and the current state and perceptions of whistle-blowing in South Africa, it was imperative to gain understanding of the possibility of a shift in the public sector, from a whistlegenic to an ethogenic organisational culture.

Chapter Six presented the responses attained from the data collection process of this study and thereafter provided a detailed analysis of the research results. As highlighted in Chapter Five, the objective behind conducting the interviews was to gain comprehension of the experiences of those who influence ethics and whistle-blowing in the Gauteng provincial departments, namely the ethics officers and the Integrity Management Unit. It is worthwhile to revisit the research objectives of this study:

i.   To explain some of the perceptions concerning whistle-blowing and their linkages to the reasons why employees fear reporting wrongdoing in their organisations

ii.   To determine the effectiveness of whistle-blowing policies and mechanisms in the institutionalisation of whistle-blowing in the South African public sector as a whole, and particularly, in the Gauteng Province

iii.   To explore the organisational culture regarding whistle-blowing in the Gauteng Provincial Government departments and examine some of the institutional challenges that are obstacles to whistle-blowing

iv.   To determine some of the ways in which organisational culture in the South African public sector, particularly in the Gauteng Provincial

Government departments can be shifted to develop an ethogenic organisational culture.

Against this background, this chapter will provide a summary of the key points in the previous chapters and also provide a summary of the main findings from the data collection process. Having laid out these findings and the challenges outlined by the interview respondents, the chapter will then list some recommendations specifically aligned to the challenges presented in the study which may assist in the process of institutionalising whistle-blowing. This completes the final research objective of the study, to determine how the organisational culture in the public sector of South Africa can be shifted to become ethogenic. Additionally, the chapter will give possible feasible research areas for future research because although this study was in-depth and comprehensive, there are further areas on the subject which are yet to be researched and may contribute a different perspective on the subject area.

7.2   SUMMARY OF CHAPTERS

This study consists of a total of seven chapters. Chapter One of the study served as the introductory chapter. The chapter provided a literature review which focused on the main themes for the study; organisational culture and whistle-blowing. The chapter explored the concept of organisational culture, its importance and then further zoomed in on the organisational culture of the South African public sector specifically, which is the area of interest for the study. On whistle-blowing, the chapter laid out a background, focusing on the challenges and key issues pertinent to whistle-blowing literature, e.g. the perceptions surrounding whistle-blowing as well as issues of retaliation against whistle-blowers, and highlighting the whistlegenic nature of the public sector organisational culture. This discussion contributed to the fulfilment of the first research objective, explaining whistle-blower perceptions and in relation to why public sector employees fear reporting wrongdoing. Furthermore, the literature on the adequacy of whistle-blowing policies in South Africa was discussed.

The motivation for this study was also discussed in Chapter One, highlighting the necessity of this research in embedding whistle-blowing in the South African public sector organisational culture. The chapter then laid out the limitations of the study, the problem statement and thereafter the research objectives which informed the research

questions for the study. The research methodology and instruments applied to this research were also briefly detailed in this chapter, coupled with the ethical implications thereof. Finally, the main concepts guiding this research were outlined; namely P(p)ublic A(a)dministration, organisational culture, whistle-blowing, whistlegenic and ethogenic organisational culture and systemic corruption. Overall, the chapter provided a foundational guide for the study.

The purpose of Chapter Two was to provide a theoretical foundation for the study and conceptualising organisational culture and whistle-blowing into Public Administration. The theoretical frameworks provided a basis for understanding the subsequent chapters. Firstly, the chapter explored Schein's theory on organisational culture which encompasses the different levels of culture: artifacts, espoused values and basic assumptions. This was followed by a discussion of De George's whistle-blowing theory which was coupled with the UDTW by Hoffman and McNulty (2010), both of which have played a role in understanding whistle-blowing and the justification of the decision to make, or to not make a disclosure. Thereafter, the main concepts were conceptualised into P(p)ublic A(a)dministration, with an in-depth discussion of the definition of whistle-blowing, the process and the issues of the decision to remain silent when faced with a decision to report corruption. Finally, the chapter discussed the meaning of whistlegenic and ethogenic organisational cultures.

Chapter Three provided a discussion of the various documents guiding whistle-blowing in South Africa. The chapter discussed overarching legislation and documents such as the Constitution of South Africa and the National Development Plan 2030. The chapter also discussed the UN's Sustainable Development Goals relative to South Africa's public sector. More specific to whistle-blowing, the chapter discussed the Protected Disclosures Act as well as the Amendment Act of 2017. The Amendment Act was then analysed juxtaposed with the Transparency International Guidelines for Whistle-Blower Policies. This provided an understanding of the viability of South Africa's Protected Disclosures Act. The discussion of legislation in this chapter served to execute the second research objective, which was to determine the effectiveness of whistle-blowing policies in institutionalising whistle-blowing in the South African public sector. Finally, the chapter discussed three recent whistle-blower case studies

which illuminated the issue of whistle-blower protection and the whistlegenic nature of the South African public sector. This further facilitated the justification for this study.

Chapter Four focused on the selected case, Gauteng Province. The chapter provided a background of the Gauteng Province and how the province contributes to the country. Thereafter, the chapter discussed the vision, mission and leadership of the province. The chapter also discussed corruption in the province and the values of the GPG. The different provincial policies of the province and their effectiveness were also discussed and finally, the chapter discussed the roles of the research participants. The chapter provided the appropriate background of the case, giving a holistic approach and understanding of the findings and achieving the research objectives. The second research objective was also addressed in this chapter through discussion of the effectiveness of whistle-blower policies in Gauteng Province.

Given the circumstances in South Africa at the time of this study, Chapter Five provided a detailed discussion of the administration of the selected research instruments. The national lockdown influenced the manner in which the interviews were conducted but this did not necessarily affect the quality of the data collected. The chapter elaborates on how the two selected instruments were altered as a result of the national lockdown. The chapter also provided some of the advantages of the applied methods of data collection as there were some advantages to the adjusted data collection methods.

Chapter Six focused on the main aim of this research, the research results. Firstly, the chapter explained the application of thematic analysis as a means of data analysis for the applied qualitative research approach. The section began by defining thematic analysis and its significance in qualitative research followed by outlining the framework which was used to conduct the thematic analysis.

The data which was collected from the focus group interview with the ethics officers was presented following the different themes by which the questions were classified. Subsequently, the data from the e-mail interviews with the IMU was presented in a similar format to the focus group interviews. Finally, an in-depth analysis of the research results was carried out against Berry's 'seven dimensions of organisational

culture that influence the employee reflection process that ultimately leads to whistle-blowing behaviour'. These seven dimensions are vigilance, credibility, courage, engagement, empowerment, accountability and options. Through the presentation and analysis of the findings, the third research objective was fulfilled by exploring the whistle-blowing organisational culture and determining some of the challenges faced in the GPG departments regarding whistle-blowing.

It is on the basis that the final chapter will provide recommendations in light of the various challenges highlighted through the analysis of the data in Chapter Five. Prior to the recommendations, the chapter will provide a summary of the main findings collated from the focus group interview and the e-mail interviews. The findings in the summary will be those which were most pertinent to addressing and fulfilling the research objectives of the study. In fulfilment of the final research objective, to determine how an ethogenic organisational culture can be attained, recommendations appertaining to the ways in which whistle-blowing can be institutionalised given the current state of ethics and whistle-blowing in the South African public sector will then be provided.

7.3   SUMMARY OF MAIN FINDINGS

As stated in the previous chapter and in the introduction to this chapter, the study applied Berry's 'seven dimensions of organisational culture that influence the employee reflection process that ultimately leads to whistle-blowing behaviour' covering the dimensions of vigilance, credibility, courage, engagement, empowerment, accountability and options. These dimensions were key to an exploration of the current standing of whistle-blower perceptions and implementation in the Gauteng provincial departments, thus revealing the areas which can be improved to institutionalise whistle-blowing.

In conceptualising whistlegenic and ethogenic organisational cultures, allusion was made that in an organisation with a whistlegenic culture, "the essential feature of such an organisation might be general arrangements which fail to deter and rectify wrongdoing and fail to encourage ethical values and behaviour" (Hunt 1998:533 in Uys & Senekal 2013:32). It was evident in the findings that the province has indeed made efforts through the IMU and its ethics officers in encouraging public servants to

maintain ethical behaviour. However, through data analysis, it became apparent that there are shortcomings and deterrents in stimulating whistle-blowing behaviour in the departments. This provided further justification for the selection of the respondents as they are on the forefront of the implementation process of whistle-blower and ethics policies and thus are well-acquainted with the challenges rising in efforts to entrench whistle-blowing in the organisational culture. As such, the key findings of the study are summarised as follows:

i. The IMU has the mandate of establishing whistle-blower policy. The unit and the Premier of Gauteng have made significant efforts in promoting ethics and whistle-blowing. The unit has instituted an externally managed hotline to encourage whistle-blowing and monitors public officials through financial interest disclosures.

ii. There is insufficient formal employee training on whistle-blowing.

iii. Ethics officers are offered training to be certified fraud examiners. However, they and the Labour Relations departments are not optimally capacitated to investigate cases. As a result, a large number of cases are dismissed or referred to the already overwhelmed Forensic Investigation Unit in the Provincial Treasury.

iv. There is low employee engagement on whistle-blowing as well as weak employee relations programmes.

v. Senior officials do not attend ethics training. Training sessions are generally attended by junior officials.

vi. In some cases, recruitment is neither merit-based, nor is it based on the new employee's individual values being aligned to the organisation's values. Some employees are hired based on their connections. This discourages whistle-blowing as employees with connections become exempt from the repercussions of unethical behaviour.

vii. Accounting officers have the responsibility of executing the recommended disciplinary actions against the wrongdoer. However, in some cases the accounting officer does not implement the recommended corrective measures, leading to many cases remaining unaddressed.

viii. There is an inconsistency in consequence management. This is due to poor responsiveness and a lack of urgency in dealing with reported

cases of wrongdoing. This silences employees because disclosures do not yield results.

ix. There are loopholes in policy, allowing for individuals guilty of fraud and corruption to be reinstated in different departments. This again compromises whistle-blowing.

x. Employees fear blowing the whistle because disclosures must be made internally, yet those who hold the authority to carry out the punitive measures are in some instances involved in the unethical act. This has affected whistle-blowing because employees fear occupational detriment and for their personal safety.

xi. As a result of the above-mentioned challenges, the study also found that the number of internal disclosures to departments' ethics officers is generally very low.

As stated in the first chapter, the main aim of this study was to explore an ethogenic organisational culture while seeking an understanding of the current hindrances to achieving such a culture in the South African public sector. Having established these challenges as summarised above, the study will now outline feasible recommendations to the above-mentioned findings.

7.4   RECOMMENDATIONS

On the backdrop of the literature and the findings of this study discussed in the previous chapter, this section will now present some of the recommendations on how whistle-blowing could be institutionalised in the South African public sector.

7.4.1 Capacitation of ethics officers

The research results indicate some inconsistency regarding the level of capacitation of ethics officers. The role of ethics officers is to play an advisory role concerning ethical matters to employees, ensure adherence to ethics policies, promote ethical behaviour and integrity in their departments, report corrupt behaviour and any unethical behaviour to heads of departments or accounting officers and facilitate the implementation of the provincial Integrity Framework (Parliamentary Monitoring Group 2011). It is evident that the main role of ethics officers is essentially to encourage ethical behaviour and in the remedial process, make a recommendation of the

disciplinary action to be taken. However, as found in the research results, some of the recommendations made are not implemented and the decisions of the ethics officers are overruled.

It is worth noting that a strong anti-corruption system must have "sufficient staff and resources with specific knowledge and skills; special legislative powers; high level information sharing and co-ordination; and operational independence" (National Planning Commission 2012:448). It is recommended that ethics officers be given authority to overrule the decisions of an accounting officer, or the respective superior, in cases where evidence has been found against the guilty party but the superior does not carry out the recommendations. It is apparent that in some departments, where the relevant authority overturns the findings of the ethics officer, the perpetrator remains in the system and faces no consequences. Hence it is necessary for ethics officers to be capacitated with such decision-making authority. Ideally, the resolve should be to ensure that accounting officers escalate all investigated cases for disciplinary action. However, Gauteng Province has the highest levels of corruption in the country; accounting for 52% of reports in the health sector and 60% of reports in the policing sector (Corruption Watch 2019:40-45). This means that given the high level of corruption, change will not occur easily. There is thus need for a remedy in which the findings of an ethics officer cannot be vetoed.

With regard to capacitation, some respondents, as alluded to in the previous chapter, stated that the Labour Relations Department in their respective departments did not have the capacity to carry out investigations leading to some cases remaining unaddressed. It is recommended that the IMU or any other relevant authority take stock frequently to ensure that all the departments have capacity in human and financial resources to eliminate corruption.

In addition, there is a dire need for the Gauteng government to ascertain that all provincial ethics officers are indeed well-trained in all the requirements of the position, particularly investigation. Some respondents in the focus group alluded to have been provided with the necessary tools and resources to enable them to carry out the investigation, while others felt that they were not well-informed or capacitated. If ethics officers are well-enabled in this regard, they will successfully conduct investigations

without frequently needing to escalate all cases to the Provincial Treasury. When ethics officers are trained, they are well-equipped to promote a more ethogenic organisational culture. This also negates the issue of hampering consequence management. In essence, ethics officers must be empowered in their roles.

7.4.2 Engagement

The data collected revealed that there is insufficient engagement with employees concerning ethics and whistle-blowing. One respondent indicated that the department formally meets only once or twice annually to discuss issues of whistle-blowing. It is safe to say that this is not sufficient in maintaining organisational engagement with employees, particularly concerning whistle-blowing. When employees are not making disclosures due to a lack of awareness, whistle-blowing becomes a token that exists without serving its purpose.

As a result, it is recommended that departments foster an environment in which employees are encouraged to whistle-blow. As stated in Section 2.5, an ethogenic culture is one in which ethical issues are "raised, discussed and resolved". It is of paramount importance for constant conversation to take place in the workplace as a means of destigmatising the act of disclosure. Whistle-blowing must be normalised in speech and thereafter, it will be normalised in action. It is the responsibility of department heads and ethics officers to ensure that employees have a full and correct grasp of what whistle-blowing entails and its benefits.

One respondent also made mention of the need for an improvement in employee relations. This is to say that the organisation must foster an environment in which the employee and the needs of employees are one of the main focuses of the organisation. This encourages loyalty to the organisation which in turn encourages ethical behaviour and whistle-blowing.

7.4.3 Training and education

Engagement is also accomplished through education and training. As gathered in the research findings, training is not consistent across all departments. One respondent in the focus group highlighted the fact that their department does not conduct any formal training. Respondents also expressed the opinion that employees are not well-

informed on the differences between a 'whistle-blower' and a 'witness' and the fear of being required to testify against a perpetrator in court deters them from whistle-blowing. Additionally, some whistle-blowers approach the ethics officers without sufficient information to carry out an investigation.

Accordingly, the recommendation is for departments to carry out whistle-blowing training for employees frequently while ensuring that ethics officers remain well-equipped to do so and are well-versed on changes in policy. As highlighted by one respondent, it is important for employees to be educated on the differences between a whistle-blower and a witness so that employees fully understand that what is required of them is a disclosure with sufficient information and that the ethics officer will carry the matter further. In addition, employees must also be educated on the scope of information required in order for investigation to commence following an allegation. New employees must also be provided with whistle-blowing and ethics training. When new employees enter an organisation with an ethogenic organisational culture, they will follow the prevailing culture and behave accordingly.

With regards to training, another challenge experienced as stipulated in the research is that senior management does not take part in ethics training, only junior officials attend. It is difficult to navigate and understand the ethics of an organisation if its leadership does not act in accordance with the expected and taught behaviour, emphasising the organisational aspect of espoused values. Hence this study recommends training for all employees at all levels in departments. It is important for leadership to be congruent with the values held by the organisation so that lower level employees behave likewise. Leadership must also attend customised executive ethics training specific to senior management.

Most of the respondents highlighted the importance of "setting the tone at the top" emphasising the need for a top-down approach to the implementation of ethics. Although some respondents alluded to the need for change in leadership, that process may take a long period of time, therefore for the shorter term, training and educating senior officials could play a role in remedying this challenge.

7.4.4 Consistency in discipline

As highlighted in Chapter Six and earlier in this chapter, consequence management is one of the main obstacles to whistle-blowing. As outlined in the findings, the majority of cases reported are not investigated and the perpetrators do not face any punitive action. There is an inconsistency in the manner in which matters are dealt with. According to Berry (2004:5) "intolerance of unethical and illegal practices should be demonstrated through consistent discipline". Uys and Senekal (2013:33) state that an ethogenic organisational culture practises addressing all reported matters notwithstanding the gravity or the nature of the act. Therefore, to promote an ethogenic culture, it is recommended that the GPG provide a timeline in which cases are dealt with, regardless of the act or the perpetrator, as well as establish a model on which to base the prioritisation of cases. Having stipulated guidelines providing time-frames for the various stages of whistle-blowing, from disclosure to the case being officially filed with the criminal justice system, would ensure that the disciplinary process is more consistent and that all matters are treated fairly and justly.

7.4.5 Publicising identities of wrongdoers and successful whistle-blower cases

One of the respondents alluded to the efforts by the Gauteng Province to permit publicising the identities of individuals found guilty of unethical behaviour. It is important to note the significance of such a measure as it will hopefully eliminate unethical behaviour in the public sector. This will also encourage whistle-blowing as employees will openly see the results of disclosures.

In additional, as highlighted in the literature review and the findings, whistle-blowing is highly stigmatised and its importance and benefits are not emphasised nearly as much as the negative consequences are. It is thus imperative for successful whistle-blower cases to be celebrated. In this manner potential whistle-blowers can see the fruitfulness of the process and may also be inspired and encouraged to report wrongdoing. Celebrating successful cases would change the narrative around whistle-blowing.

7.4.6 Amend legislative loopholes

As explained by one of the respondents, in some cases, an individual is found guilty of wrongdoing but instead of facing any disciplinary action, he/she is reinstated in a new position in another department. In some cases, wrongdoers resign before the case goes forward. These are challenges to which the informants for this study are privy. As a result, and as mentioned previously, a large number of cases are dismissed.

It is recommended that there be additions to legislation stipulating that once an individual is found guilty of wrongdoing, he/she may no longer be employed in the public service. This protects citizens from the service of corrupt public servants, but more importantly for this study, it institutionalises whistle-blowing by conveying to potential whistle-blowers that whistle-blowing does produce the intended result, which is to eliminate corruption.

7.4.7 Merit and value-based recruitment

According to the National Development Plan, in 2030 "South Africa will be a country in which ... leaders have integrity and high ethical standards" (National Planning Commission 2012:447). Leadership is a critical function in the implementation of ethics and the normalising of whistle-blowing. As alluded to by a respondent, there are "family trees" within the departments due to corruption in the recruitment processes.

It is imperative for the recruitment process to be carried out with fairness and impartiality. This can be done through an independent recruitment entity or agency that would thoroughly verify the qualifications of new employees. By so-doing, employees would be appointed solely based on their merit and abilities and not on their personal connections to those who have influence on the recruitment process.

Similarly, senior officials in particular must be hired not only based on merit, but through ensuring that their ethical values align with those of the organisation. Individual values must align with those of an ethogenic-based organisational culture. This reiterates the previous recommendation; legislation must stipulate that no official (more-so senior officials) should be appointed if they have been previously involved in

any misdemeanour. This ensures recruitment of ethical leaders with integrity as is desired in the NDP.

7.4.8 Independent body monitoring whistle-blowing

It is important to acknowledge that there are multiple disclosure channels afforded to public sector employees; internal channels and external channels, e.g. the Public Protector, the National Anti-Corruption Hotline and watchdog bodies such as Corruption Watch, to name a few. However, as acknowledged in the NDP (2012:450) South Africa does not have an entity dedicated to overseeing whistle-blowing.

To remedy this situation, the study recommends establishing a body with the specific mandate of monitoring whistle-blowing. This body would be responsible for ensuring correct implementation of whistle-blowing measures in the various provinces. Additionally, the body would be responsible for monitoring the capacitation of ethics officers and Labour Relations departments to ensure that there is investigative expertise in all departments, as well as ensuring the protection of whistle-blowers. This would be beneficial in lessening the burden of whistle-blower related issues in the workplace by assigning that responsibility to a body focusing exclusively on whistle-blowing.

7.4.9 Transforming from whistlegenic to ethogenic organisational culture

As highlighted by Berry (2004:3), the fundamental values held by an organisation are visible in the organisational culture and are not only written down. To refer back to Hunt (1998:533), a whistlegenic organisational culture is one in which organisational processes "fail to deter and rectify wrongdoing and fail to encourage ethical values and behaviour". In addition, the organisation's culture of perpetuating fear and hypocrisy is visible because that behaviour does not align with the written values. From this study, one can conclude that to a great extent, South Africa's public sector organisational culture can be characterised as whistlegenic. These sentiments ring true for the GPG in particular.

It is important to note the importance of transformative action to shift the public sector from a whistlegenic to an ethogenic organisational culture. Shared values and expected behaviours must be consistently and intentionally communicated to

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employees at all levels in departments. The values of the organisation must be seen as being communicated not out of obligation, but through true and visible belief in the shared ethical values; these values are then propagated and instilled in the organisation. Essentially, values must be seen in action and not only heard. Ethical values must become ingrained in every employee of the public sector through stringent efforts by all stakeholders in ensuring that all public sector employees maintain the organisational values and identify of the organisation. Leadership must lead with knowledge that their behaviour and the values they uphold are learned and may be duplicated by subordinates.

Employees must be encouraged to hold a sense of responsibility regarding whistle-blowing. Public officials must not ask themselves "Isn't this someone else's responsibility?" (section 6.5.1.4) but through training and true organisational beliefs be aware that creating an ethogenic organisational culture is indeed their responsibility. Upon witnessing wrongdoing, employees should not wonder "Can I make a difference?" or "Will I even be heard?" (section 6.5.1.5). Responsive, efficient and timeous processes of consequence management must communicate to employees that their concerns are in fact heard and that they truly can make a difference in their organisations thereby fostering a 'spirit of whistle-blowing'. By so-doing, potential whistle-blowers will not feel that reporting wrongdoing is committing 'career suicide'.

Ultimately, public officials must disclose wrongdoing simply because it is the right thing to do. The public sector must not be one in which the culture perpetuates gagging of employees, creating fear and insecurity and reflecting hypocrisy which are characteristics of a whistlegenic culture. Instead, an ethogenic organisational culture must be attained, visible through upholding ethical standards, resolving incidents of misconduct as well as acceptance and encouragement of whistle-blowing (section 2.5).

On the basis of Berry's framework and the findings of this study one can recommend that an ethogenic culture can be achieved in the following ways:
  i.   Vigilance in instilling ethical behaviour;
  ii.   Engagement with employees concerning whistle-blowing;
  iii. Credibility of the organisation through leadership behaviour;

iv.   Promotion of accountability;

v.   Empowerment of employees to blow the whistle;

vi.   Giving employees courage through visible corrective measures;

vii.   Giving potential whistle-blowers reachable and trustworthy options on where and to whom disclosures can be made.

Ultimately, change will be seen not in changed policies but in changed behaviour and commitment.

7.5   SUGGESTIONS FOR FURTHER RESEARCH

Although this study attempted to be comprehensive, there are areas of the subject area still to be pursued. The study was informed by the experiences of implementers of ethics and whistle-blowing in the Gauteng province. Firstly, there is a need for research to be conducted with employees in the public sector to take into account their personal experiences concerning whistle-blowing in their respective departments. A study encompassing these experiences would assist in informing the perceptions of those whose whistle-blowing behaviour is influenced by the ethics officers and the IMU.

This study was also limited to only one province, i.e. Gauteng. It is necessary for a comparative study to be conducted to identify the different perspectives and whistle-blower institutionalisation methods implemented across provincial departments in the country. By so doing, there is a possibility of establishing best practices to embed a whistle-blowing culture. Provincial departments can learn from one another's successes.

7.6   SUMMARY AND CONCLUSION

This chapter's main purpose was to draw the study to a conclusion. The chapter first provided a summary of the preceding chapters. Thereafter, a summary of the findings derived from the data collection process was provided. In addition, recommendations were made based on the findings discussed and finally, suggestions were made for future research. The chapter summarised the study in its entirety guided by the research objectives provided in the chapter's introduction. The analysis of the data employed Berry's seven dimensions to contextualise the Gauteng provincial

departments' state of whistle-blowing into the compliance framework on whistle-blowing and organisational culture.

As highlighted in Chapter One, the key purpose of this study was to explore an ethogenic organisational culture in the South African public sector. The guiding research questions were:

i. What are the reasons that employees in the South African public sector fear whistle-blowing and how is whistle-blowing viewed in the public sector?

ii. To what extent does legislation assist in the propagation and institutionalisation of whistle-blowing in the South African public sector?

iii. Has the implementation of the anti-corruption strategies adopted by the Gauteng provincial government in terms of whistle-blowing been successful to institutionalise whistle-blowing?

iv. How can whistle-blowing become ingrained in the South African public sector, in light of the findings in the Gauteng provincial departments, to make the public sector organisational culture ethogenic? Can an ethogenic organisational culture be achieved?

These research questions allowed the researcher to acquire insightful data to inform the study and provided the primary objectives of the research. The study was crucial in examining the conditions in the organisational culture of the South African public sector, specifically concerning whistle-blowing. The literature provides evidence that corruption is rampant in the public sector, deeming it fit to be classified as systemically corrupt. Despite the various policies and measures in place, corruption remains pervasive and whistle-blowing remains stigmatised. These issues were also highlighted in the problem statement of the study. Concerning whistle-blowing, it is apparent from the literature that public servants fear reporting disclosures as many whistle-blowers in the past have experienced occupational detriment as expounded in the several examples provided by Holtzhausen (2007:193-204), Isparta (2014:138-198) and in Chapter Three (section 3.8.1) of this study.

According to Hunt (in Uys and Senekal 2013:32) an organisation with a culture defined as whistlegenic will have "a gamut of internal failures, such as poor communication,

low participation in decision-making, dissonance in the values held by stakeholders and by the organisation in practice, and low morale". The examples provided, coupled with the stated characteristics of a whistlegenic culture, warrant the South African public sector to be classified as such.

Regrettably, the literature and current affairs provide evidence that Gauteng Province remains the province with the highest level of corruption in South Africa (Corruption Watch 2017:3; Ntsaluba 2019). The research results found that Gauteng specifically, has laboured to encourage whistle-blowing, given the perceptions held of the act of disclosure. The Premier of Gauteng has employed some stringent measures in the fight against corruption and has vocalised high intolerance of unethical behaviour. However, there is still a vast amount of work to be done to institutionalise whistle-blowing.

In light of the research questions, the study found that public service employees still fear retribution and as a result avoid whistle-blowing. Much of the literature on whistle-blowing alludes to fear being the principal reason why employees do not blow the whistle. It was enlightening to discover that there are several other reasons that dissuade employees from blowing the whistle on corruption. Some of these reasons include lack of capacitation of those who implement whistle-blower policies, involvement of senior officials in corrupt activities, a lack of responsiveness and urgency in dealing with reported matters, and poor consequence management, amongst other reasons. Overall, the study concludes that at this stage, achieving an ethogenic organisational culture may be arduous, not impossible, but requiring stringent and radical measures. Whistle-blowing is an important pillar in the fight against corruption; hence the internal processes and systems for whistle-blowing and anti-corruption across government departments must be strengthened. In this quest, there is need for complete commitment from government leadership to institutionalise whistle-blowing if the National Development Plan's Vision 2030 (2012:447) of "building a resilient anti-corruption system" is to be achieved.

LIST OF REFERENCES

Adelman, C.D., Jenkins, D. & Kemiss, S. 1980. Rethinking case study: Notes from the second Cambridge Conference. In H. Simons (Ed.), *Towards a Science of the Singular: Essays about Case Study in Educational Research and Evaluation:* pg 47-61. Norwich: Centre for Applied Research in Education, University of East Anglia.

Africa News Agency. 2019. 'They are living on the run' – public protector on Magaqa whistleblowers. Available from: https://www.iol.co.za/news/south-africa/kwazulu-natal/they-are-living-on-the-run-public-protector-on-magaqa-whistleblowers-25823423. (Accessed on 10/6/2019).

Alford, C.F. 2002. *Whistleblowers: broken lives and organisational power*. Cornell University Press.

Anderson, G. 1990. *Fundamentals of educational research*. London: The Falmer Press.

Argyris, C. 1976. Single-loop; and double-loop models in research on decision making. *Administrative Science Quarterly*, 21(3):363-375.

Arnold, J. 2005. *Work psychology: understanding human behaviour in the workplace,* 4th edition. London: Prentice Hall Financial Times.

Balboa, J. & Medalla, E.M 2006. Anti-Corruption and Governance: The Philippine Experience." Philippine Institute for Development Studies. APEC Study Center Consortium Conference, Ho Chi Minh City, Viet Nam. *APEC Study Center Consortium Conference*: pp 1-28.

Bampton, R. & Cowton, C.J. 2002. 'The E-interview'. Forum Qualitative Social Research 3 (2). Available from: http://www.qualitative-research.net/index.php/fqs/article/view/848/1842. (Accessed on 20/05/2020).

Banisar, D. 2011. Whistleblowing: International Standards and Developments. In Sandoval, I. *Corruption and Transparency: debating the Frontiers between State, Market and Society World Bank-Institute for Social Research*. (Ed). Washington, DC: UNAM. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1753180 (Accessed on 20/09/2018).

Barker, R. & Dawood, R. 2004. Whistleblowing in the organization: wrongdoer or do-gooder? *Communicare,* 23(2):119-138.

Berg, B.L. & Lune, H. 2012. *Qualitative research methods for the social sciences.* California: Pearson.

Berry, B. 2004. Organisational culture: framework and strategies for facilitating employee and whistle-blowing. *Employee Responsibilities and Rights Journal,* 16(1): 1-11.

Bhasin, M. 2010. Corporate governance in the Asian countries. *African Journal of Business Management*, 4(10):1964-1971.

Borins, S. 1995. What the new public management is achieving: A survey of commonwealth experience. In Lawrence R. Jones, Kuno Schedler and Stephen. W Wade (eds) *International perspectives on the New Public Management. Advances in International Comparative Management Supplement 3.* Greenwich CT: JAI Press.

Boyatzis, R, E. 1998. *Transforming qualitative information: thematic analysis and code development.* California: Sage.

Bozeman, B & Jorgensen, T.B. 2007. Public values an inventory. *Administration & Society,* 39(3):354-381.

Braun, V. & Clarke, V. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2):77-101.

Brikci, N. & Green, J. 2007. A guide to using qualitative research methodology. Available from: http://hdl.handle.net/10144/84230. (Accessed on 12/08/2018).

Brink, H. I. L. 1993. Validity and reliability in qualitative research. *Curationis,* 16 (2): 35-38.

British Standards Institute. 2008. Publicly Available Specification 1998: 2008 Whistleblowing Arrangements Code of Practice. London: British Standards Institute. [Online] Available from
http://www.bollettinoadapt.it/old/files/document/21418whistleblowing_a.pdf.
(Accessed on 16/08/2017).

Brown, D. A. 1998. *Organisational Culture.* Financial Times.

Burns, E. 2010. Developing Email Interview Practices in Qualitative Research. *Sociological Research Online* 15 (4). Available at: http://www.socresonline.org.uk/15/4/8gi.html. (Accessed on 18/04/2020).

Camerer, L. 1996. Ethics and the professions: blowing the whistle on crime. *African Security Review*, 5(6):48–54. [Online]. Available from: http://www.iss.co.za/pubs/ASR/5/No6/Camerer.html. (Accessed 25/11/2018).

Cameron, K.S. & Quinn, R.E. 2011. *Diagnosing and Changing Organizational Culture: Based on the Competing Values Framework.* John Wiley & Sons.

Canny, T. & Pillay, K. 2017. Whistle-blowers, are you really protected? Available at: http://www.polity.org.za/article/whistleblowers-are-you-really-protected-2017-03-17. (Accessed on 28/07/2018).

Carey, M.A. 1995. Introduction. *Qualitative Health Research,* 5: 413.

Chen, A.Y.S., Sawyers, R.B. & Williams, P. F. 1997. Reinforcing ethical decision-making through corporate culture. *Journal of Business Ethics,* 16: 855-866.

Clarke, V. & Braun, V. 2013. *Successful qualitative research: A practical guide for beginners.* London: Sage.

Cliffe Dekker Hoffmeyr. 2017. What does the Protected Disclosures Amendment Act mean for whistleblowers and employers alike? Available from: https://www.cliffedekkerhofmeyr.com/export/sites/cdh/en/news/publications/2017/dispute/downloads/Dispute-Resolution-and-Employment-Alert-16-August-2017.pdf. (Accessed on 15/5/2019).

Cloete, J.J.N. 1981. *Introduction to public administration.* Pretoria: Van Schaik.

Coetzee, J.J. 2012. Systemic corruption and corrective change management strategies: a study of the co-producers of systemic corruption and its negative impact on socio-economic development. Unpublished DBA: Stellenbosch University.

Cohen-Lyons, J. & Morley, H. 2012. Whistle blowing in the Public Sector: A Balance of Rights and Interests. Public Sector Digest. Available from: http://www.hicksmorley.com/images/Hicks_Morley.pdf. (Accessed 20/11/2018).

Comrie, S. 2017. AmaBhungane: How Gupta-linked firm scored big by connecting officials and consultants–whistle-blower. [Online] *The Daily Maverick*. Available from: https://www.dailymaverick.co.za/article/2017-09-27-amabhungane-how-gupta-linked-firm-scored-big-by-connecting-officials-and-consultants-whistle-blower/. (Accessed on 12/06/2019).

Corruption Watch. 2015. *The whistle-blower's handbook: an early warning system to avert possible risks to the organisation.* Available from: https://www.corruptionwatch.org.za/wp-content/uploads/2015/05/Corruption-Watch-Whistleblower-handbook.pdf. (Accessed on: 31/10/2017).

Corruption Watch. 2017. The Corruption Watch Annual Report 2017: The Time is now. Available from: https://www.corruptionwatch.org.za/wp-content/uploads/2018/04/Corruption-Watch-Annual-Report-04042018-FA-Single-Pages-CompressedV2-2.pdf. (Accessed on: 21/08/2018).

Corruption Watch. 2018. Annual Report: Upholding democracy. Available from: https://www.corruptionwatch.org.za/publications-2/. (Accessed on 15/08/2020).

Corruption Watch. 2019. Corruption Watch Annual Report 2019. Available from https://www.corruptionwatch.org.za/publications-2/. (Accessed on 15/08/2020).

Creswell, J. W. 2013. *Qualitative enquiry and research design: choosing among five approaches.* Thousand Oaks: Sage.

Cronje, J. 2017. Trillian whistle-blower felt 'disempowered', distrust over 'risky exposure'. Fin24. Available from: https://m.fin24.com/Companies/Financial-Services/trillian-whistleblower-felt-disempowered-distrust-over-risky-exposure-20170928. (Accessed on 28/05/2019).

Dasgupta, S. & Kesharwani, A. 2010. Whistle blowing: A survey of Literature. *The IUP Journal of Corporate Governance*, 4(4): 1-14.

Davids, S.E. 2012. *Anti-corruption manual for South Africa*. Kuils River: Vuvuzela Project Management CC.

Dawson, S. 2000. Whistleblowing: a broad definition and some issues for Australia. Working Paper 3/2000 by Victoria University of Technology. Available from: http://www.bmartin.cc/dissent/documents/Dawson.html. (Accessed on 06/08/2018).

De George, R.T. 1986. Whistle-blowing. Business Ethics, 221-38. New York: Macmillan Publishing Company.

De George, R. T. 2010. Business Ethics. 7th ed. New York: MacMillan.

Dehn, G. & Borrie, G. 2001. Whistleblowing: A New Perspective. Public Concern at Work. Available from: htpp://www.u4.no/document/literature.Cfm?key=40. (Accessed on 21/10/2018).

Dempsey, P. D. 1996. Taxi industry regulation, deregulation & reregulation: The paradox of market failure. *Transportation Law Journal, 24(73): 73-120.*

Denhardt, R. & Denhardt, J. 2009. *Public Administration: An action orientation*. 6th ed. Thomson: Wadsworth.

Denscombe, M. 2003. The Good Research Guide (2nd edition). Maidenhead, UK: Open University Press.

Department of Public Service and Administration South Africa. 2006. Guidelines for implementing the Minimum Anti-corruption Capacity Requirements in Departments and Organisational Components in the Public Service. Available at: http://www.dpsa.gov.za/dpsa2g/documents/accc/MACC%20training%20guide.pdf. (Accessed on 26/06/2018).

Diamond, L. 2007. A Quarter-Century of Promoting Democracy. *Journal of Democracy* 18(4):118–120.

Dilshad, R.M. & Latif, M.I. 2013. Focus group interview as a tool for qualitative research: an analysis. *Pakistan Journal of Social Sciences,* 33(1):191-198.

Dorasamy, N. 2012. Institutionalising a whistle-blowing culture within higher education institutions: policy and procedure underpinning good governance at the Durban University of Technology. *Journal of Economics and Behavioural Studies,* 4 (9):505-514.

Dorasamy, N. & Pillay, S. 2011a. Whistle blowing: Impediments to effective implementation within the South African public sector. *Corporate Ownership and Control*, 8(3):196-208.

Dwyer, P., Carney, D., Borrus, A., Woellert, L. & Palmeri, C. 2002. Year of the whistleblower: The personal costs are high, but a new law protects truth-tellers as never before. *Business Week*, 3812: 106–110

Edwards, R. & Holland, J. 2013. *What is qualitative interviewing?* London: Bloomsbury.

European Commission. 2018. Whistle-blowers protection. Available from: https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/whistleblowers-protection_en. (Accessed 29/05/2019).

Fourie, D.J. & Poggenpoel. W. 2017. Public sector inefficiencies: Are we addressing the root causes? *South African Journal of Accounting Research,* 31(3): 169–180.

Franks, P.E. 2014. The crisis of the South African public service. *The Journal of the Helen Suzman Foundation* 74: 48-56.

Freitas, H., Oliveira, M., Jenkins, M. & Popjoy, O. 1998. The Focus Group, A Qualitative Research Method. Reviewing the theory, and Providing Guidelines to Its Planning. Available at: http://gianti.ea.ufrgs.br/files/artigos/1998/1998_079_ISRC.pdf. (Accessed on 20/05/2019).

Fritz, R. L. & Vandermause, R. 2017. Data collection via in-depth email interviewing: lessons from the field. *Qualitative Health Research*, 28 (10): 1640-1649.

Fulton, S. & Krainovich-Miller, B. 2010. Gathering and appraising the literature in Lobiondo-Wood, G Haber, J. (Eds). *Nursing research methods and critical appraisals for evidence-based practice.* (7th Ed.) St Louis: Mosby-Elsevier.

Gauteng Office of the Premier. 2018. Annual Report 2017. Available at: http://www.gauteng.gov.za/media/Annual%20Reports/Office%20of%20the%20Premier%20Annual%20Report%202017-18.pdf. (Accessed on 12/10/2018).

Gauteng Office of the Premier. 2019. Growing Gauteng Together: Our road-map to 2030.
Available from:
https://cmbinary.gauteng.gov.za/Media?path=OOP/Documents/Gauteng%20Disability%20Rights%20Summit%202020/Growing%20Gauteng%20Together%202030%20Road%20Map.pdf&Item=15&Type=Campaigns&Location=/OOP. (Accessed on 15 September 2020).

Gauteng Provincial Government. [Sa]. Code of ethics and business conduct for the Gauteng Provincial Government. Available from:
http://www.dpsa.gov.za/dpsa2g/documents/accc/Public%20Service%20Code%20of%20Conduct.pdf. (Accessed on 11/11/2020).

Gauteng Provincial Government. 2015. *Anti-corruption strategy*. Johannesburg: Gauteng Office of The Premier.

Gauteng Provincial Government. 2015. Integrity Management Policy and Framework. Available at: https://www.gauteng.gov.za/Publications#. (Accessed on 05/04/2020).

Gauteng Provincial Government. 2016. Annual Report 2015/2016. Available at: https://provincialgovernment.co.za/department_annual/413/2016-gauteng-office-of-the-premier-annual-report.pdf. (Accessed on 30/08/2020).

Gauteng Provincial Government. Gauteng Anti-Corruption Strategic Framework. 2009. Available from:
http://www.gautengonline.gov.za/Publications%20and%20Reports/Gauteng_Anti-corruption_Strategic%20Framework_2009.pdf. (Accessed on 03/03/2020).

Gibson, L. 2010. Realities toolkit: Using email interviews. ERSC National Centre for Research Methods. Available from: http://eprints.ncrm.ac.uk/1303/1/09-toolkitemail-interviews.pdf. (Accessed on 17/05/2020).

Gildenhuys, J. 2004. *Ethics and professionalism: a battle against public corruption.* Stellenbosch: Sun Press.

Gill, P., Stewart, K., Treasure, E., & Chadwick, B. 2008. Methods of data collection in qualitative research: interviews and focus groups. *British Dental Journal Official Journal of the British Dental Association,* 204(6):291-295.

Gladden, E.N. 1953. *An Introduction to Public Administration* 2nd Edition. London: Staples Press.

Grant, C. & Osanloo, A. 2014. Understanding, selecting, and integrating a theoretical framework in dissertation research: creating the blueprint for your "House". *Administrative Issues Journal: Connecting Education, Practice, and Research,* 4(2):12-26.

Groenewald. L. 2018. The paradox of being a whistle-blowing hero. Available from: https://www.tei.org.za/index.php/resources/articles/ethics-opinions/7637-the-paradox-of-being-a-whistle-blowing-hero. (Accessed on 2/6/2019).

Hamid, M.H. & Zainudin, N. 2015. Whistleblowing: an organizational support perspective. *International Journal of Management Research and Review,* 5 (7):479-487.

Hancock, B. 2002. *An introduction to qualitative research.* Nottingham: UK Trent Focus Group.

Harper, P. 2017. Corruption tied to political killings. *Mail & Guardian.* [Online] Available from: https://mg.co.za/article/2017-09-08-00-corruption-tied-to-political-killings. (Accessed on 01/06/2019).

Harper, P. 2017. 'Magaqa died because he did not approve of looting'. *Mail & Guardian.* [Online] Available from: https://mg.co.za/article/2017-09-16-new-allegations-against-magaqa-exposed-at-at-his-funeral. (Accessed on 08/06/2018).

Hawkins, J.E. 2018. The practical utility and suitability of e-mail interviews in qualitative research. *The Qualitative Report,* 23(2):493-501.

Hillebrandt, L.S. 1979. Focus group research: behind the one-way mirror. *Public Relations Journal*, 35(2):17-33.

Hoffman, W.M. & McNulty, R.E. 2010. A business ethics theory of whistleblowing: responding to the $1 trillion question. In M. Arszulowicz (Ed.), *Whistleblowing: In Defense of Proper Action* (45–59). New York: Transaction Publishers.

Holtzhausen, N. 2007. Whistle-blowing and whistle-blower protection in the South African public sector. Unpublished Doctoral Thesis. Pretoria: University of South Africa.

Holtzhausen, N. 2013. Policy and management considerations for whistle blower protection. *African Journal of Public Affairs* 6(4):59-71.

Houghton, C., Shaw, D., Casey, D. & Murphy, K. 2013. Rigour in qualitative case-study case study research. *Nurse Researcher,* 20 (4): 12-17.

Hunt, G. 1995. *Whistle-blowing in the Health Service: accountability, law and professional practice*. London: Edward Arnold.

Ibrahim, A.M. 2012. Thematic analysis: a critical review of its process and evaluation. *West East Journal of Social Sciences*, 1(1):39-47.

Isparta, D. 2014. The Position of the Whistle-Blower in South African Law. Unpublished doctoral thesis LLD. Pretoria: UNISA.

Jaghargh. F.Z., Ghorbanpanah. H., Nabavi. S., Saboordavoodian, A. & Farvardin, Z. 2012. A Survey on Organizational Culture Based on Stephan Robbins's Theory (Case Study). 2nd International Conference on Management and Artificial Intelligence IPEDR 35:30-34.

Johnson, R. A. 2003. *Whistle-blowing: when it works and why*. Boulder: Lynne Rienner Publishers.

Jubb, P.B. 1999. Whistleblowing: a restrictive definition and interpretation. *Journal of Business Ethics,* 21(1):77-94.

Kettl, D. & Fessler, J. 2009. *The politics of the administrative process*. Washington D.C: CQ Press.

Kotter, J.P. 2008. *Corporate culture and performance*. Simon & Schuster.

Kristof, A.L. 1996. Person-organisation fit: an integrative review of its conceptualizations, measurement, and implications. *Personnel Psychology,* 49(1):1–33.

Kumar, R. 2014. *Research methodology: a step-by-step guide for beginners.* Fifth Edition. London: SAGE Publications.

Labour Appeal Court of South Africa. 2011. State Information Technology Agency Ltd v Sekgobela. Available from: http://www.saflii.org/za/cases/ZALAC/2012/16.pdf. (Accessed on 21/09/2018).

Le Comple, M.D., & Goetz, J.P. 1982. Problems of reliability and validity in ethnographic research. *Review of Educational Research* 52 (1): 31-60.

Lupton, D. 2020. Doing fieldwork in a pandemic (crowd-sourced document).
Available from:
https://docs.google.com/document/d/1clGjGABB2h2qbduTgfqribHmog9B6P0NvMgVuiHZCl8/edit?ts=5e88ae0a#. (Accessed on 17/05/2020).

MacCarthaigh, M. 2008. Public Service Values, Committee for Public Management Research Discussion Paper Number 39, Dublin: Institute of Public Administration. Available from: http://www.ipa.ie/pdf/cpmr/CPMR_DP_39_PublicServiceValues.pdf (Accessed on 21/10/2018).

Magubane, K. 2018. Whistleblower safeguards still inadequate - journalists and informants. News24.
 Available from: https://m.news24.com/SouthAfrica/News/whistleblower-safeguards-still-inadequate-journalists-and-informants-20180815. (Accessed on 28/5/2019).

Majila, T. Taylor, J.D. & Raga, K. 2017. Normative model to alleviate corruption. *African Journal of Public Affairs*, 9(6):88-102.

Malunga, K. 2015. Whistle-blowing in South Africa: Empowering whistle-blowers in South Africa-dealing with intimidation and strengthening people and institutions. Public Protector South Africa. Available at:

http://www.aepf.co.za/Documents/Whistleblowing_in_SouthAfrica_Kevin_Malunga.pdf. (Accessed on 27/09/2018).

Manyaka, R.K. & Nkuna, N.W. 2014. The phenomenon of corruption in the South African public sector: challenges and opportunities. *Mediterranean Journal of Social Sciences*, 5(27):1572-1580

Martin, J.M. 2006. That's the way we do things around here: an overview of organisational culture. *Electronic Journal of Academic and Special Librarianship.* Available from:
https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1060&context=ejasljournal. (Accessed on 25/09/2018)

Martin, P. 2010. The Status of Whistle-blowing in South Africa: Taking stock. Open Democracy Advice Centre. Available from: http://www.opendemocracy.org.za/wpcontent/uploads/2010/10/ODAC_Whistleblowing_Report_web.pdf. (Accessed on 22/10/2018).

Martin, W., Gaskell, B.G. 2000. *Qualitative researching with text, image and sound classical content analysis: a review*. South Africa: Sage Publications.

Martins, N. & Martins, E. 2003. Organisational culture. In *Organisational behaviour: Global and South African perspectives* eds. Robbins, S. P., Odendaal, A. and Roodt, G. pp. 379-400. Cape Town: Pearson Education South Africa.

Marume, S.B.M. 2016. Meaning of Public Administration. *Journal of Research in Humanities and Social Science*, 4(6):15-20.

Mason, D.M., & Ide, B. 2014. Adapting qualitative research strategies to technology savvy adolescents. *Nurse Researcher,* 21(5):40-45.

Mbatha, J.S. 2005. The ethical dilemmas of whistle-blowing and corruption in the South African Public Sector. Unpublished D.Admin Thesis.Empangeni: University of Zululand.

McGregor, D. 1960. *The human side of enterprise.* New York: McGraw-Hill.

McGregor, M. 2007. Blowing the whistle: Disclosures to the media. *Juta's Business Law,* 15(4):160-163.

McNabb, D.E. 2004. *Research methods for political science: quantitative and qualitative methods.* New York: M.E. Sharpe.

Meho, L.I. 2006. E-mail interviewing in qualitative research: a methodological discussion'. *Journal of the American Society for Information Science and Technology* 27 (10):1284-1295.

Merriam, S.B. 1998. *Qualitative research and case study applications in education.* San Francisco, CA: Jossey-Bass.

Merten, M. 2017. State Capture: In Parliament, Mosilo Mothepu lifts the lid on the machinations of State Capture at Eskom. [Online] *The Daily Maverick.* Available from: https://www.dailymaverick.co.za/article/2017-11-01-state-capture-in-parliament-mosilo-mothepu-lifts-the-lid-on-the-machinations-of-state-capture-at-eskom/. (Accessed on 28/5/2019).

Miller, S. Roberts, P. & Spence. E. 2005. *Corruption and anti-corruption: an applied philosophical approach.* New Jersey: Pearson Prentice Hall.

Milliken, F.J., Morrison, F.W. & Hewlin, P.F. 2003. An exploratory study of employee silence. *Journal of Management Studies,* 40(6):1452-1476.

Minderman, G., Raman, A.V., Coste, F. & Woods, G. (Eds). 2012. *Good, bad and next in public governance.* Eleven International Publishing.

Molele, C. 2017. Premier Makhura launches bold initiative to fight corruption: Taking the lead in combating graft. Available from: https://www.pressreader.com/south-africa/sunday-times/20171210/284017602426531. (Accessed on 28/08/2018).

More, L. 2018. South Africa: A republic constituted on corruption. [Online] *The Daily Maverick.* Available from: https://www.dailymaverick.co.za/opinionista/2018-10-08-south-africa-a-republic-constituted-on-corruption/. (Accessed on 12/10/2018).

Morgan, D. 1988. *Focus groups as qualitative research.* London: Sage

Morgan, D.L. 1997. *Focus groups as qualitative research* (2nd edn). Thousand Oaks, CA: Sage.

Mouton, J. 2006. *How to succeed in your master's and doctoral studies*. Pretoria: Van Schaik Publishers.

Nader, R. 1972. An anatomy of whistle-blowing. In Nader, R., Petkas, P.J. & Blackwell, K. (Eds.), *Whistle-blowing.* New York: Grossman Publishers.

Naidoo, V. 2017. Measuring corruption risk in the South African Public Service. *African Journal of Public Affairs,* 9(6) March.

Namey, E., Guest, G., Thairu, L. & Johnson, L. 2008. Data reduction techniques for large qualitative data sets. In Guest, G. and MacQueen, K.M. *Handbook for team-based qualitative research*. Lanham: Altamira.

National Planning Commission. 2011. The National Development Plan 2030. Pretoria: Government Printer.

Near, J.P. & Miceli, M.P. 1985. Organizational dissidence: the case of whistle-blowing. *Journal of Business Ethics*, (4):1-16.

Near, J.P., & Miceli, M.P. 1995. Effective whistle-blowing. *The Academy of Management Review*, 20(3):679.

Newham, G. 2014. Why Is corruption getting worse in South Africa? Available from: https://www.corruptionwatch.org.za/why-is-corruption-getting-worse-in-south-africa/. (Accessed on 27/11/2017).

Nicolaides, G. 2017. Former Trillian CEO living in fear after speaking out on state capture. *Eye Witness News*. Available from: https://ewn.co.za/2018/01/29/former-trillian-ceo-living-in-fear-after-speaking-out-on-state-capture. (Accessed on 07/08/2019).

Nicolson, G. 2018. The cost of truth – whistle-blowers speak. *The Daily Maverick.* [Online] Available from: https://www.dailymaverick.co.za/article/2018-08-15-the-cost-of-truth-whistle-blowers-speak/ . (Accessed on 06/06/2019).

Nicolson, G. 2020. Diary of a whistle-blower: Mosilo Mothepu's courageous fight against state capture. *The Daily Maverick*. [Online] Available from: https://www.dailymaverick.co.za/article/2020-03-06-diary-of-a-whistle-blower-mosilo-mothepus-courageous-fight-against-state-capture/. (Accessed on 29/05/2020).

Nowell, L.S., Norris, J.M., White, D.E. & Moules, N.J. 2017. Thematic analysis: striving to meet the trustworthiness criteria. *International Journal of Qualitative Methods* (16):1-13.

Ntsaluba, G. 2019. Gauteng, KZN the most corrupt provinces – Corruption Watch. *The Citizen*. [Online] Available from: https://citizen.co.za/news/south-africa/crime/2115709/gauteng-kzn-the-most-corrupt-provinces-corruption-watch/. (Accessed on 21/08/2020).

Nyberg, P. 2011. Report of the Commission of Investigation into the Banking Sector in Ireland. Available from: http://137.191.228.14/documents/publications/reports/2011/nybergreport.pdf. Accessed on 22/11/2018).

O'Riordan, J. 2015. Organisational Culture and The Public Service. Available at: https://www.ipa.ie/_fileUpload/Documents/Organisational_Culture.pdf. (Accessed on 25/08/2018).

Ogbu, S. U. 2017. Whistle-blowing policy as a mechanism for energizing the 'War Against Corruption' In Nigeria. *International Journal of International Relations, Media and Mass Communication Studies*, 3(4):16-32.

Onday, O. 2016. Organization culture theory: from organizational culture of Schein to appreciative inquiry of Cooperrider & Whitney. Available from: https://www.researchgate.net/publication/309037093. (Accessed on 13/11/2018).

Open Democracy Advice Centre. 2014. *Empowering our whistleblowers*. Cape Town: Mega Digital.

Organisation for Economic Co-operation and Development. 2013. OECD Integrity Review of Italy Reinforcing Public Sector Integrity, Restoring Trust for Sustainable

Growth. OECD Public Governance Reviews, OECD Publishing. Available from: http://dx.doi.org/10.1787/9789264193819-en. (Accessed on 16/5/2019).

Panagiotis, M., Alexandros, S. & George, P. 2014. Organizational culture and motivation in the public sector. the case of the City of Zografou. *Procedia Economics and Finance*, 14:415-424.

Parliamentary Monitoring Group. 2011. Public Sector Integrity Management Framework; Work-studies on Premiers' Offices: Minister's and Departments' briefings Available from: https://pmg.org.za/committee-meeting/13232/. (Accessed on 12/08/2020).

Patil, S. 2011. Scope of Public Administration. Available from: http://pubad-ias.blogspot.com/2011/08/scope-of-public-administration.html. (Accessed on 27/09/2018).

Pauw, J.C. & Louw, N.V. 2014. *The concept public administration, in Reflective Public Administration: context, knowledge and methods* (eds). Wessels, J.S., Pauw, J.C. & Thani, X.C. Pretoria: Unisa Press.

Persson, A. Rothstein, B. & Teorell, J. 2013. Why anti-corruption reforms fail—systemic corruption as a collective action problem. *Governance: An International Journal of Policy, Administration and Institutions*, 26(3) July 2013.

Pierce, R. 2008. *Research methods for politics and international relations*. SAGE Publications: University of York.

Pillay, S., Dorasamy, N. & Vedran, V. 2012. Exploring whistle-blowing intentions in South Africa: a quantitative analysis. *African Journal of Business Management* 5(28): 6579-6595.

Polit, D.F. & Hungler, B.P. 2004. *Nursing research: principles and methods.* Lippincott Williams & Wilkins: Philadelphia.

Powell, R.A., Single, H.M. 1996. Methodology matters-V. *International Journal for Quality in Healthcare,* 8(5):499-504.

PPLAAF. 2018. Suspicious links between the South Africa's president and the powerful Gupta Family. Available from: https://pplaaf.org/whistleblowers/mosilo-mothepu.html. (Accessed on 07/06/2019).

Public Service Commission. 1997. *Code of Conduct for Public Servants*. Pretoria: Government Printer.

Public Service Commission of South Africa. Whistle-blowing: A guide for Public Sector Managers Promoting Public Sector Accountability Implementing the Protected Disclosures Act. Available from: www.gov.za. (Accessed on 3/6/2019).

Public Service Commission of South Africa. 2018. Annual Report 2017/18. Available from: www.psc.gov.za. (Accessed on 29/5/2019).

PWC. 2018. Global Economic Crime and Fraud Survey 2018 6th South African edition. Available from: https://www.pwc.co.za/en/publications/global-economic-crime-survey.html. (Accessed on 26/05/2019).

Rahman, M. S. 2017. The advantages and disadvantages of using qualitative and quantitative approaches and methods in language "testing and assessment" research: a literature review. *Journal of Education and Learning*, 6(1):102-112.

Republic of South Africa (RSA). 1996. *Constitution of the Republic of South Africa* (1996). Pretoria: Government Printer.

Republic of South Africa (RSA). 2000. The Protected Disclosures Act 26 of 2000. Pretoria: Government Printer.

Republic of South Africa (RSA). 2017. The Protected Disclosures Amendment Act 5 of 2017. Pretoria: Government Printer.

Resnik, D.B. 2015. What is ethics in research and why is it important? Available from: https://www.niehs.nih.gov/research/resources/bioethics/whatis/index.cfm. (Accessed on 10/8/2018).

Richter, W. & Burke, F. 2007. *Combating corruption, encouraging ethics: a practical guide to management ethics*. United Kingdom: Rowman & Littlefield Publishers.

Ripuah, K. 2018. Read the damning SIU report on Gauteng Health Department corruption. *Mail & Guardian*. [Online] Available from: https://mg.co.za/article/2018-06-21-read-the-damning-siu-report-on-corruption-in-the-gauteng-health-department. (Accessed on 18/11/2018).

Robbins, S.P., & Judge, T. 2011. *Organisational behaviour* (14th edn). Boston: Pearson.

Saleh, I.S., Ali, N.S.M., Mohd-Yusof, K., & Jamaluddin, H. 2017. Analysing qualitative data systematically using thematic analysis for deodoriser troubleshooting in palm oil refining. *Chemical Engineering Transactions,* 56: 1315-1320.

Sandelowski, M. 2002. Reembodying qualitative inquiry. *Qualitative Health Research,* 12(1):104-115.

Sarker, A. E. 2005. New Public Management, Service Provision and Non-Governmental Organizations in Bangladesh. *Public Organization Review*, 5: 249–271

Schein, H.E. 1983. The role of the founder in creating organisational culture. *Organizational Dynamics*, 12(1):13–28.

Schein, H.E. 1992. *Organizational culture and leadership*. 2nd ed. San Francisco: Jossey-Bass.

Schein, H.E. 2004. *Organizational culture and leadership.* 3rd ed. San-Francisco: Jossey-Bass.

Schwepker, C.H. Jr. 1999. Understanding salespeople's intention to behave unethically: The effects of perceived competitive intensity, cognitive moral development and moral judgment. *Journal of Business Ethics*, 21: 303–316.

Seltiz, C., Wrightsman, L.C., & Cook, W.S. 1976. *Research methods in social relations. 3rd edition*. New York: Holt Rinehart & Winston.

Shafer, W.E. 2002. Ethical pressure, organizational-professional conflict, and related work outcomes among management accountants. *Journal of Business Ethics,* 38(3): 263–276.

Shafritz, J.M., Russell, E.W. & Borick, C. P. 2015. *Introducing Public Administration*. Routledge.

Shahinpoor, N. & Matt, B.F. 2007. The power of one: Dissent and organizational life. *Journal of Business Ethics*, 7:37-48.

Singh, S. J. 2015. Advantages and Disadvantages of Probability Sampling Methods in Social Research. National Conference on Innovative Research in Chemical, Physical, Mathematical Sciences, Applied Statistics and Environmental Dynamics. Available at: https://www.krishisanskriti.org/vol_image/27May201607051105%20%20%20%20%20%20%20%20%20%20%20Saroj%20Kumar%20Singh%201%20%20%20%20%20%20%20%20%20%202014-18.pdf. (Accessed on 01/02/2021).

Slovin, D. 2006. Blowing the whistle: a well-designed, accessible whistleblower hotline can be a powerful tool in the fight against fraud. *Internal Auditors,* 63(3):45-49.

South Africa Institute of Race Relations. 2020. SA's changing demographics– implications for policy. Available from: https://irr.org.za/reports/freefacts/files/00-2014-freefacts-2014-february-2020-draft.pdf. (Accessed on 11/11/2020).

Stake, R.E. 1995. *The art of case study research*. Thousand Oaks, CA: SAGE Publications.

Stats SA. 2019. Four facts about our provincial economies. Available from: http://www.statssa.gov.za/?p=12056. (Accessed on 10/11/2020).

Stillman, R.. 1980. *Public Administration: Cases and concepts*, 2nd edition. Boston: Houghton Mifflin Company.

Tanase, I.A. 2015. The Importance of Organizational Culture Based on Culture Transfer. Proceedings of the International Management Conference, Faculty of Management, Academy of Economic Studies, Bucharest, Romania 9(1):848-852.

Taylor, R. 2015. Beyond anonymity: Temporality and the production of knowledge in a qualitative longitudinal study. *International Journal of Social Research Methodology,* 18(3), 281- 292.

Thakur, C. 2018. Whistleblower Protection: Does South Africa Match Up? - Part I-IV. Available from: https://hsf.org.za/publications/hsf-briefs/whistle-blower-protection-does-south-africa-match-up-part-iii. (Accessed on 3/6/2019).

Then, K.L. 1996. Focus group research. *Canadian Journal of Cardiovascular Nursing*, 7(4):27-31.

Then, K.L., Rankin, J. & Ali, E. 2014. Focus group research: what is it and how can it be used? *Canadian Journal of Cardiovascular Nursing,* 24(1):16-22.

Thornhill, C. 2006. The domain of Public Administration. *The Journal of Public Administration*, 41(4.1):793-806.

Tongco, M.D.C. 2007. Purposive sampling as a tool for informant selection. *Ethnobotany Research & Applications,* 5:147-158.

Tooley, R. & Mahoai, K. 2007. The impact of corruption on service delivery in South Africa. *Journal of Public Administration*, 42(3): 366-373.

Totemeyer, G. 1988. Local government: where politics and Public Administration meet. In Heymans, G. & Totemeyer, G. *Government by the People*. Cape Town. Juta Printers.

Transparency International. 2010. Whistle-blowing: an effective tool in the fight against corruption.
Available from:
http://files.transparency.org/content/download/228/916/file/2010_1_PP_Whistleblowing_EN.pdf. (Accessed on 03/05/2019).

Transparency International. 2017. A redefining moment for Africa. Available from: https://www.transparency.org/en/countries/south-africa. (Accessed on 05/04/2018).

Transparency International. 2017. Corruption Perceptions Index 2017. Available from: https://www.transparency.org/news/feature/corruption_perceptions_index_2017?gclid=EAIaIQobChMIg8THuqCq3wIVirHtCh1iKQUDEAAYASAAEgJzk_D_BwE. (Accessed on 12/07/2018).

Transparency International. 2018. A best practice guide for whistle-blowing legislation.

Available from:
http://files.transparency.org/content/download/2223/13909/file/2018_GuideForWhistleblowingLegislation_EN.pdf. (Accessed on 1/6/2019).

Tynan, C. & Drayton, J.L. 1988. Conducting focus groups — a guide for first time users. *Marketing Intelligence & Planning* 6(1):5-9.

United Nations. 2015. The 17 goals. Available at: https://sdgs.un.org/goals. (Accessed on 02/02/2021)

United Nations Economic and Social Council. 2006. Committee of experts on Public Administration: Definition of basic concepts and terminologies in governance and public administration.
Available from: http://unpan1.un.org/intradoc/groups/public/documents/un/. (Accessed on 02/05/2017).

Uys, T. 2000. The politicisation of whistle blowers: a case study. *Business Ethics: A European Review*, 9(4):259-267.

Uys, T. 2008. Rational loyalty and whistle-blowing: the South African Context. *Current Sociology*, 56(6):904-921.

Uys, T. & Senekal, A. 2013. Creating an ethogenic organisation: The development and implementation of a whistle-blowing policy. *African Journal of Business Ethics*, 7 (1). Jan-Jun 2013.

Uys, T. & Smit, R. 2016. Resilience and whistle-blowers: Coping with the consequences. Available from: https://ujcontent.uj.ac.za/vital/access/services/Download/uj:21814/SOURCE1. (Accessed on 30/07/2018).

Van Rooyen, J.R. 2017. An exploratory study of Organisational Culture and Employee Commitment: A Case Study at a local municipality. Unpublished thesis: Stellenbosch University.

Walliman, N. 2011. *Research methods: the basics.* Routledge.

Welman, J.C. & Kruger, S.J. 2001. *Research methodology for business and administrative sciences*. University of Oxford: Oxford University Press.

Welman, P., Kruger, F. & Mitchell, B. 2005. *Research methodology*. Third Edition. Cape Town: Clyson Printers.

Wilson, W. 1887. The Study of Administration. Available from: https://archive.org/details/jstor-2139277 (Accessed on 21/09/2018).

World Bank. 1997. Helping Countries Combat Corruption: The Role of the World Bank. Available from: http://www1.worldbank.org/publicsector/anticorrupt/corruptn/corrptn.pdf. (Accessed on 21/07/2018).

World Bank. 1997. *Helping Countries Combat Corruption: The Role of the World Bank. Poverty Reduction and Economic Management*. New York: September.

Wozniak, W. 2014. Homogeneity of focus groups as a pathway to successful research findings? Methodological notes from the fieldwork. Available at: https://www.researchgate.net/publication/281648708_Homogeneity_of_focus_groups_as_a_pathway_to_successful_research_findings_Methodological_notes_from_the_fieldwork. (Accessed on 11/04/2020).

Yazan, B. 2015. Three approaches to case study methods in education: Yin, Merriam, and Stake. *The Qualitative Report*, 20(2):134-152.

Yin, R.K. 2002. *Case study research: design and methods*. Thousand Oaks, CA: SAGE Publications.

Yin, R.K. 2014. *Case study research: design and methods*. Thousand Oaks, California. SAGE Publications.

Zipparo, L. 1999a. Encouraging public sector employees to report workplace corruption. *Australian Journal of Public Administration,* 58(2): 83-99.

ANNEXURE A: Interview schedule for focus group interview with Ethics Officers of the Gauteng provincial departments

Research title: An exploration of an ethogenic whistle-blowing organisation culture in the South African public sector.

Interviewer: Miss Ruvimbo Musiyarira

Date of interview: dd/mm/year

Approximate duration of interview: 90 mins

1. How would you describe the role of the ethics officers in their respective departments in the Gauteng provincial government?

2. How would you describe the organisational culture (the values and behaviours that are shared in an organisation or "how we do things here") of the organisation with regards to whistle-blowing?

3. In your opinion and from experience, are you aware of the perceptions employees have of whistle-blowing? If yes, how do employees in this organisation view whistle-blowing? Are they comfortable with making disclosures of maladministration?

4. On average, how many disclosures of alleged wrongdoing do you receive each month?

5. What are some of the reasons employees provide for not making disclosures?

6. When a disclosure is made, would you say that the process that follows is effective in uprooting corruption and encouraging whistle-blowing?

7. In your opinion, what challenges (if any) has the Gauteng provincial government faced that have undermined the functioning of whistle-blowing as an internal mechanism?

8. Which policies concerning whistle-blowing exist in the Gauteng provincial government?

9. What steps have been taken to ensure that the implemented anti-corruption and whistle-blowing policies have assisted in enhancing the organisational culture to institutionalise whistle-blowing in the Gauteng provincial departments?

10. What measurables (if any) are used to determine the success of the policies implemented?

11. What practical methods can be implemented to institutionalise whistle-blowing in the workplace?

12. Given the current state of whistle-blowing and whistle-blower protection in South Africa, in your view, is it possible to achieve an organisational culture in which whistle- blowing is ingrained as another internal mechanism in the organisation? If yes, how? If no, why not?

13. Is there anything else that you would like to share in terms of whistle-blowing or the organisational culture?

ANNEXURE B: Interview schedule for the Integrity Management Unit at the Gauteng Office of the Premier

Research title: An exploration of an ethogenic whistle-blowing organisation culture in the South African public sector.

Interviewer: Miss Ruvimbo Musiyarira

Date: dd/mm/year

Approximate duration of interview: 45 minutes.

1. What is the role of the Integrity Management Unit in the Gauteng Office of the Premier?

2. How effective is the role of Ethics Officers in curbing corruption and institutionalising whistle-blowing?

3. Would you describe the organisational culture (the values and behaviours that are shared in an organisation or "how we do things here") of the Office of the Premier as one which promotes whistle-blowing?

4. What is the main function of the Integrity Management Unit particularly in relation to whistle-blowing?

6. Part of the duty of the Integrity Management Unit is to monitor public servants in the province. How does the unit carry out this monitoring?

7. Many government employees in South Africa do not disclose wrongdoing due to fear of retaliation or fear of action not being taken. How does the Integrity Management Unit ensure that this is not the case in the Office of the Premier and Gauteng as a whole?

7. What measures have been put in place by the unit to institutionalise whistle-blowing?

8. How do you measure the unit's success in enhancing integrity and promoting whistle-blowing?

9. In your opinion, what challenges have the unit faced in normalising whistle-blowing?

10. What can be done/improved (practically) in order to normalise whistle-blowing in the organisation?

11. Do you believe it is possible to achieve an organisational culture in which

whistle-blowing is ingrained as another internal mechanism in the organisation? Please explain your response.

12. Is there anything else that you would like to share in terms of whistle-blowing or the organisational culture?

ANNEXURE C: INFORMED CONSENT LETTER FOR FOCUS GROUP RESPONDENTS

School of Public Management and Administration

An exploration of an ethogenic whistle-blowing organisational culture in the South African public sector

Research conducted by:
Miss Ruvimbo Musiyarira (14337992)
Cell: 0727090447

Dear Participant

You are invited to participate in an academic research study conducted by Ruvimbo Musiyarira, a Masters student from the School of Public Management and Administration at the University of Pretoria.

The purpose of the study is to explore the organisational culture of South Africa, particularly an ethogenic whistle-blowing organisational culture. The research aims to find some of the challenges concerning whistle-blowing in the public sector and establishing ways in which the South African public sector can achieve an ethogenic organisational culture, where whistle-blowing is institutionalised in the public sector.

Please note the following:

- The answers you give will be treated as strictly <u>confidential</u> as this is an <u>anonymous</u> study interview.
- Your participation in this study is very important to us. You may, however, choose not to participate and you may also stop participating at any time without any negative consequences.
- The interview should not take more than 90 minutes of your time.

- The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.
- Please contact my supervisor, Professor Natasja Holtzhausen, on 012 420 3474 or natasja.holtzhausen@up.ac.za if you have any questions or comments regarding the study.

Please sign the form to indicate that:
- You have read and understand the information provided above.
- You give your consent to participate in the study on a voluntary basis.

_____   _____
Participant's signature   **Date**

ANNEXURE D: INFORMED CONSENT LETTER FOR INDIVIDUAL INTERVIEW RESPONDENTS

Faculty of Economic and Management Sciences

School of Public Management and Administration

An exploration of an ethogenic whistle-blowing organisational culture in the South African public sector

Research conducted by:
Miss Ruvimbo Musiyarira (14337992)
Cell: 0727090447

Dear Participant

You are invited to participate in an academic research study conducted by Ruvimbo Musiyarira, a Masters student from the School of Public Management and Administration at the University of Pretoria.

The purpose of the study is to explore the organisational culture of South Africa, particularly an ethogenic whistle-blowing organisational culture. The research aims to find some of the challenges concerning whistle-blowing in the public sector and establishing ways in which the South African public sector can achieve an ethogenic organisational culture, where whistle-blowing is institutionalised in the public sector.

Please note the following:

- The answers you give will be treated as strictly <u>confidential</u> as this is an <u>anonymous</u> study interview.
- Your participation in this study is very important to us. You may, however, choose not to participate and you may also stop participating at any time without any negative consequences.
- The interview should not take more than 45 minutes of your time.

- The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.
- Please contact my supervisor, Professor Natasja Holtzhausen, on 012 420 3474 or natasja.holtzhausen@up.ac.za if you have any questions or comments regarding the study.

Please sign the form to indicate that:
- You have read and understand the information provided above.
- You give your consent to participate in the study on a voluntary basis.

_____   _____
Participant's signature   **Date**