




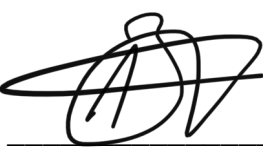

**QUALITY COUNCIL FOR TRADES AND
OCCUPATIONS (QCTO)**

WHISTLE BLOWING POLICY

VERSION CONTROL

POLICY NAME	Whistle Blowing Policy
UNIT RESPONSIBLE	Governance, Risk, Compliance & Secretariat (GRC&S)
DEVELOPED	Ms. Adri Solomon
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APPROVED BY:

 Chief Executive Officer: (QCTO) Name: Mr. Vijayen Naidoo Date: <u>26/03/2021</u>	 Chairperson of the Council: (QCTO) Name: Mr Samuel Zungu Date: <u>12 APRIL 2021</u>	 Director GRC & S: (QCTO) Name: Ms. Adri H Solomon Date: <u>19 March 2021</u>
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1. Introduction

The Quality Council for Trades and Occupations (QCTO) is committed to the highest standards of ethical, moral and legal business conduct. Ethical business behavior is the responsibility of every person in the organisation and is reflected not only in our relationships with each other but also with our clients, suppliers, the general public and other stakeholders. The QCTO Code of Conduct and Ethics and related corporate policies are a key component of its commitment to high standards of business and personal ethics in the conduct of its business.

In line with this commitment we expect employees and others that we deal with, who have serious concerns about any aspect of the QCTO's work to come forward and communicate these concerns through the appropriate channels provided by the organisation, without any concerns or fear of victimisation. It is recognised that wherever practical, and subject to any legal constraints, matters reported will proceed on a confidential basis.

All QCTO employees are strongly encouraged to report their concerns through the normal business channels, which can include, for example, immediate supervisors, management, the CEO, internal audit, the QCTO Audit and Risk Committee (ARC) Chairperson or Council Chairperson.

The introduction of the QCTO's Fraud and Ethics Hotline is a supplementary reporting mechanism through which to raise concerns, if for any reason you are uncomfortable with using the normal business channels or are unsatisfied with the response from the normal business channels. The system is available for use by all QCTO employees, service providers, the general public and stakeholders.

The objective of this Whistle Blowing Policy is to reinforce the Code of Conduct and Ethics and provide assurance to all staff, service providers and stakeholders related to the QCTO that they will be protected from any penal action or victimisation arising from any legitimate matters reported through any of the reporting channels provided for by the QCTO.

2. Affirmation and Compliance

2.1 The Protected Disclosures Amendment Act, No 5 of 2017 as amended came into effect on 02 August 2017.

The QCTO subscribes to the principles and requirements of this Act and in order to reaffirm our compliance with the Act, the QCTO will:

- Ensure protection of employees who submit a disclosure in good faith and use the appropriate reporting channels provided by the QCTO;
- Strive to create a culture which will facilitate the disclosure of information by employees relating to criminal and other unethical or irregular conduct in the workplace in a responsible manner by providing clear guidelines for the disclosure of such information and protection against reprisals as a result of such disclosure; and
- Promote zero tolerance to any criminal and other unethical or irregular conduct within the QCTO.

2.2 The QCTO further subscribes to the principle and requirements of Prevention and Combating of Corrupt Activities Act 12 of 2004

2.3 The QCTO further supports the efforts of its clients to comply with The Protection of Personal Information Act, No 4 of 2013 (POPI).

3. Objectives and Scope

- 3.1 This Whistle Blowing Policy is intended to provide overall guidance for the reporting of concerns and to further encourage and enable staff and stakeholders to raise concerns within the QCTO rather than overlooking the problem or reporting such concerns through inappropriate channels.
- 3.2 Furthermore, this Whistle Blowing Policy aims to:
- Highlight the various channels available to employees and stakeholders of the QCTO to raise concerns and receive feedback on matters reported and any action taken by management in addressing the matters reported;
 - Reassure employees and stakeholders that they will be protected from reprisals or victimisation for disclosures made in good faith.
- 3.3 There are existing procedures to enable employees to lodge grievances relating to their own employment, which will not be superseded by this policy and therefore the mechanisms available through this policy should not be used as an avenue to re-report issues that have already been addressed through, and/or fall within the ambit of the normal grievance or complaints procedures. This policy is intended to address concerns that fall outside the scope of grievance or complaints procedures, which, although not exhaustive, include the following:
- Conduct which is an offence or a breach of law;
 - Disclosures related to miscarriages of justice;
 - Health and safety risks, including risks to the public as well as other employees;
 - Damage to the environment;
 - The unauthorised use of QCTO's resources;
 - Possible fraud and corruption;
 - Sexual or physical abuse;
 - Other unethical conduct;
 - Serious failure to comply with appropriate professional standards;
 - Abuse of power, or use of the organisation's powers and authority for any unauthorised use or personal gain;
 - Deliberate breach of the organisation's policies and/or procedures.

4. Acting in Good Faith

Users of the QCTO Fraud and Ethics Hotline must act in good faith and must not make false accusations when reporting any concerns. Good faith is when a disclosure is made without malice or consideration of personal benefit and the complainant has a reasonable basis to believe the report to be true. Any employee who knowingly or recklessly makes false or misleading statements or disclosures that are not in good faith may be subject to disciplinary action following which the maximum sanction may be applied to the employee and may face legal action.

5. Reporting Channels

- 5.1 In order to remain in compliance with the Protected Disclosures Act, the QCTO will:
- Ensure protection of employees and other whistle blowers who submit a disclosure in good faith, using the appropriate channels provided by the QCTO.
- 5.2 As a first step, employees should normally raise concerns with their immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

- 5.3 If an employee is for any reason uncomfortable using the normal business channels, they should then contact the QCTO Fraud and Ethics Hotline.
- 5.4 Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:
- The background and history of the concern (giving relevant dates);
 - The reason you are particularly concerned about the situation;
 - The extent to which you have personally witnessed or experienced the problem (provide documented evidence where possible).

Although you are not expected to prove beyond reasonable doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

6. Safeguards – Harassment and Victimisation

The QCTO is committed to good practice and high standards and wants to be supportive of employees.

The QCTO recognises that the decision to report a concern can be a difficult one to make and is therefore committed to ensuring that an employee or other whistleblower is protected for a disclosure made in good faith.

Retaliation by any employee of the organisation, directly or indirectly, against any person who, in good faith, submits a disclosure or provides assistance to those responsible for investigating the allegations will not be tolerated.

No employee or whistle blower will suffer harassment, retaliation or adverse employment consequences as a result of the submission in good faith of their disclosure. Any employee of the company, who retaliates against a person who has submitted a disclosure pursuant to this policy in good faith, shall be subject to disciplinary action following which the maximum sanction will be applied.

7. Definition of a Disclosure

A disclosure is a reported concern that has been submitted by an employee, service provider or external stakeholder acting in good faith using the QCTO Fraud and Ethics Hotline. It does not include issues or concerns raised by employees through normal business channels in an open, non-confidential manner. All disclosure reports will be treated in confidence.

To enhance the confidentiality of the system, the QCTO has chosen to outsource the management of the QCTO Fraud and Ethics Hotline and has selected and contracted an independent specialist external provider namely, Deloitte Tip-offs Anonymous. Disclosures will be handled in a secure environment by Deloitte Tip-offs Anonymous by professionally trained personnel.

8. Reporting and Recording of Disclosures

Users of the QCTO Fraud and Ethics Hotline can report their disclosures using any one of the following mediums of communications:

1. Use of a dedicated FreeCall number which is **0800 322 322**
2. Use of one unique e-mail address which is **gcto@tip-offs.com**
3. FreePost address: **KZN 138 Umhlanga Rocks, 4320**
4. FreeFacsimile: **0800 00 77 88**
5. Access to the Deloitte Tip-offs Anonymous website which is **www.tip-offs.com**

Disclosures will be received by Deloitte Tip-offs Anonymous, the external service provider and reports will be prepared for communication to the following authorised individuals listed in the table below:

Name and Surname	Designation
<u>Nominee 1</u>	Deputy Director: Governance, Risk and Compliance (GRC)
<u>Nominee 2</u>	Director: Governance, Risk, Compliance & Secretariat (GRC&S)
<u>Nominee 3</u>	Chief Executive Officer
<u>Nominee 4</u>	Chairperson of the Audit and Risk Committee

Under normal circumstances, all reports will be sent to both Nominee 1, Nominee 2 and Nominee 3 as the primary recipients.

However, a relevant escalation process has also been defined for certain circumstances as follows:

- Should nominee 1, 2 or 3 be implicated, the report is escalated to nominee 4.
- Should nominee 4 be implicated the report is escalated to nominee 5.

The following independent person would be contacted in the event a particular disclosure concerns or involves Nominee 4:

Name and Surname	Designation
<u>Nominee 5</u>	Chairperson of Council

If the implicated person is Nominee 5, then the communication should be directed to the Executive Authority (EA).

If a member of Council is implicated, the communication should be escalated directly to the Chairperson of the Audit and Risk Committee (ARC). The Chairperson of the ARC will assess the matter and may report it to the Executive Authority if deemed necessary.

The reports will include only objectively presented information that is in direct relation to the scope of any investigation undertaken for the verification of the alleged facts.

All reports provided to the reporting personnel as indicated above will eliminate any element that could identify the employee making a disclosure. This means that the employee will remain totally anonymous if they have chosen to use this option.

However, the identity of an employee will be provided to the QCTO if the following condition is met:

- The employee has given their verbal consent to Deloitte Tip-offs Anonymous, the external service provider, to communicate their identity to the QCTO.

9. How will the QCTO Respond

The Fraud Prevention Plan and Procedures deals with how the QCTO will address or respond to matters reported whether through internal reporting mechanisms or through the QCTO Fraud and Ethics Hotline, which is emphasised below:

- 9.1 The QCTO will respond to all disclosures made.
- 9.2 The QCTO will ensure the employee's protection if the disclosure is made in good faith.
- 9.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
- 9.4 Where an investigation is appropriate, the matters raised will either:
 - Be investigated internally by management, internal audit, or through the disciplinary process, or
 - Be referred to an independent outside service provider with the necessary specialist expertise and experience in dealing with the type of disclosure made. This will be reviewed on a case by case basis.
- 9.5 Some concerns may be resolved by agreed action without the need for formal investigations. If urgent action is required, this will be taken before any investigations are conducted.
- 9.6 The investigation and the duration thereof will depend on the nature of the matters raised, the difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the individual, if this is possible.
- 9.7 The investigations will be handled in a confidential manner and will not be disclosed or discussed with any persons other than those with a legitimate right to such information. Appropriate feedback will be provided upon request, by the whistle blower.

10. The Responsible Officer

The Director: Governance, Risk, Compliance & Secretariat (GRC&S) has overall responsibility for the maintenance and implementation of this policy. This officer maintains a record of concerns and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the CEO and the Audit and Risk Committee.

11. Creating Awareness

In order for the Policy to be sustainable, it will be supported by a structured education, communication and awareness programme as part of QCTO's broader fraud risk implementation plan.

12. Contact Details

Requests for further information should be referred to the Director: Governance, Risk, Compliance & Secretariat (GRC&S) or the Internal Auditors.

13. Review of Policy

This policy will be reviewed every second year unless there is a need to revise it.

14. Acronyms

AGSA	Auditor-General South Africa
ARC	Audit and Risk Committee
CEO	Chief Executive Officer
EA	Executive Authority
GRC&S	Governance, Risk, Compliance and Secretariat
QCTO	Quality Council for Trades and Occupations
POCCA	Prevention and Combating of Corrupt Activities Act