

WHISTLE BLOWING POLICY

1. Introduction

- 1.1. The Employees are often the first to realize when something has gone seriously wrong within an organisation. However, they are often not prepared to come out and express their concerns because they feel that doing so would be disloyal to their colleagues or to the Organisation. They may also hold back in fear of harassment or victimization. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice or misconduct.
- 1.2. Proudly South African is committed to the highest possible standards of openness, probity and accountability. In line with this commitment Proudly South African expects employees and our stakeholders, who have serious concerns about any aspect of the organisation's work to come forward and voice those concerns. It is recognized that wherever practical, and subject to any legal constraints, many cases will proceed on a confidential basis.
- 1.3. This policy document makes it clear that one can do so without fear of victimization, subsequent discrimination or disadvantage. This policy is intended to encourage and enable employees, stakeholders and the public to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4. The policy applies to all employees, directors and those contractors working for Proudly South African.

2. Aims and Scope of this Policy

- 2.1. This policy aims to:

- 2.1.1. Encourage Employees to feel confident in raising serious concerns and to question and act upon concerns about irregular practices;

- 2.1.2. Provide avenues for Employees to raise those concerns and receive appropriate feedback on any action taken;
 - 2.1.3. Ensure that Employees receive responses to their concerns and that they are aware of how to pursue them if they are not satisfied;
 - 2.1.4. Reassure Employees that they will be protected from possible reprisals or victimization if they have a reasonable belief that they have made any disclosure in good faith.
- 2.2. There are existing procedures in place to enable Employees to lodge a grievance relating to their own employment. This policy is not to be used as an avenue to re-run issues that have already gone through grievance and/or complaints procedures. This policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
- 2.2.1 Conduct which is a legal offence or a breach of the law;
 - 2.2.2. Disclosures related to miscarriages of justice;
 - 2.2.3. Health and safety risks, including risks to the public as well as other Employees;
 - 2.2.4. Damage to the environment;
 - 2.2.5. The improper and unauthorized use of funds;
 - 2.2.6. Possible fraud and corruption;
 - 2.2.7. Sexual act and or physical abuse;
 - 2.2.8. Other unethical conduct;
 - 2.2.9. Serious failure to comply with appropriate professional standards;
 - 2.2.10. Abuse of power and/or use of organisational powers and authority for any unauthorized use or personal gain; and
 - 2.2.11. Deliberate breach of Company policy.
- 2.3. As stated, this policy does **not** replace the corporate complaints or grievance procedures.

3. Safeguards– Harassment or Victimization

- 3.1. Proudly South African is committed to good practice and high standards and wants to be supportive of Employees and members of the public.
- 3.2. Proudly South African recognizes that the decision to report a concern can be a difficult one to make. If what a reporting Employee is saying is true, then they should have nothing to fear because they will be doing their duty to the Employer and those for whom they are providing a service, or as a responsible citizen.
- 3.3. Proudly South African will not tolerate any harassment or victimisation (including informal pressures) and it will take appropriate action to protect Employees when they raise a concern in good faith.
- 3.4. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect a member of staff.

4. Confidentiality

- 4.1. All concerns will be treated in confidence and every effort will be made, subject to any legal constraints, not to reveal the reporting Employee's identity if they so wish. At an appropriate time, however, the reporting Employee may need to come forward as a witness.

5. Anonymous allegations

- 5.1. This policy encourages Employees to put their names to their allegations whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Company.
- 5.2. In exercising this discretion the factors to be taken into account would include:

- 5.2.1. The seriousness of the issues raised;
- 5.2.2. The credibility of the concern; and
- 5.2.3. The likelihood of confirming the allegation from attributable sources.

6. Untrue allegations

- 6.1. If an Employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against such an Employee. If, however, an Employee makes an allegation frivolously, maliciously or for personal gain, appropriate disciplinary or legal action may be taken against them.

7. How to raise a concern

- 7.1. 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. If an Employee is of the opinion that the organisational avenues are inappropriate then they should contact the Whistle blowing Office/ Tipoff Anonymous.

- 7.2. Concerns may be raised verbally or in writing. Those who wish to make a written report are invited to use the following format:

- 7.2.1. The background and history of the concern (giving relevant data and dates);
- 7.2.2. The reason why the reporting Employee is particularly concerned about the situation; and
- 7.2.3. The extent to which the reporting Employee personally witnessed or experienced the problem (provide documented evidence where possible)

- 7.3. The earlier the Employees express the concern the easier it is to take action.

- 7.4. Although Employees are not expected to prove beyond reasonable doubt the truthfulness of their allegations, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.
- 7.5. Employees may wish to consider discussing their concerns with a colleague first and they may find it easier to raise the matter if there are two (or more) of them who have had the same experience or concerns.
- 7.6. Employees may invite their trade union representative or a friend to be present during any meetings or interviews in connection with the concerns that they have raised.

8. How the Company will respond

- 8.1. Proudly South African will respond to Employees' concerns. Employees should note that their concerns may be subjected to testing, which testing should not be viewed as either the acceptance or rejection of the complaint.
- 8.2. Where appropriate, the matters raised may:
 - 8.2.1. Be investigated by management, internal audit, or through the disciplinary process;
 - 8.2.2. Be referred to the police by either Proudly South African or the reporting Employee; and or
 - 8.2.3. Be referred to the external auditor;
- 8.3. 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.

- 8.4. Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5. Within 5 (five) working days of a concern being raised, the officer responsible for Whistle blowing will write to the reporting Employee:
 - 8.5.1. Acknowledging that the concern has been received;
 - 8.5.2. Where applicable, supplying the reporting Employee with information on staff support mechanisms.
- 8.6. The amount of contact between the reporting Employee and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, Proudly South African will seek further information from the reporting Employee. Subject to any legal constraints, the reporting Employee will be kept informed of the progress of enquiries.
- 8.7. Where any meeting is arranged off-site at a mutually agreed location, if an Employee so wishes, a union representative or a friend can accompany them.
- 8.8. Proudly South African will take steps to minimize any difficulties that an Employee may experience as a result of raising a concern. For instance, if an Employee is required to give evidence in a criminal or disciplinary proceedings, Proudly South African will arrange for the Employee concerned to receive advice about the procedure.
- 8.9. Proudly South African accepts that Employees need to be assured that the matter has been properly addressed.
- 8.10. Thus, subject to any legal constraints, Proudly South African will inform the Employee of the outcome of any investigation.

Approved by the Proudly South African Board of Directors on _____ at _____

Chairperson of the Board