Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

WHISTLE BLOWING POLICY
2026

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Document Number	**1**
Document Name	**Whistleblowing Policy**
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Date Completed	
Date of Approval	
Last Date Amended	**2026**
Date For Next Review	**2031 and/or prior to this date as per any applicable legislative changes**
Related Policies	**Anti-Corruption Policy**

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SIGN OFF

1. Head of Department

This Policy on the Whistleblowing has been recommended by Mr. V. Mlokoti in his capacity as Head of Department for the Eastern Cape Department of Cooperative Governance and Traditional Affairs.

I am satisfied and concur with the contents of this Policy.

The development of this policy will ensure that the department complies with the provisions of section Protected Disclosures Act, (No. 26 of 2000)

SIGNED:	**MR. V. MLOKOTHI**
DESIGNATION:	**HEAD OF THE DEPARTMENT**
DATE:	23/07/2026

2. Executive Authority

The department of Cooperative Governance and Traditional Affairs has an opportunity to improve the livelihoods of the people by effectively rendering the many services that it is expected to provide. We have envisaged a department that has the required capacity to respond adequately to challenges of its people.

I therefore trust that guidance from this Policy will contribute to the effective fulfilment of the departmental mandate, the service delivery expectations of the public and the performance expectations within the department.

SIGNED:	**MR. Z.A WILLIAMS**
DESIGNATION:	**MEMBER OF THE EXECUTIVE COUNCIL**
EFFECTIVE DATE:	12.08. 2026

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WHISTLEBLOWING POLICY OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

1. POLICY STATEMENT

The whistleblowing policy of the Department of Cooperative Governance & Traditional Affairs seeks to highlight the importance of openness, transparency and accountability. In line with its commitment, the Department has developed this policy that seeks to create a culture where employees and stakeholders/ service providers can responsibly report wrongdoing, including fraud, corruption, maladministration, unethical conduct, abuse of power and any other irregular conduct without fear of victimasation in line with the Protected Disclosures Act 26 of 2000 as amended.

The employer has a responsibility to take all necessary steps to ensure that employees who disclose such information are protected from any Occupational detriment or workplace retaliation because of such disclosure.

2. DEFINITIONS

In this policy unless the context otherwise indicates: -

"Employee" means any person-

(a) Excluding an independent contractor, who works for another person or for the state and who receives, any remuneration; and

(b) Other who in any manner assists in carrying on or conducting the business of an employer

"Employer" means -

(a) Who employs or provides work for any other person who remunerates or expressly or tacitly undertakes to remunerate that other person; or

(b) Who permits any person in any manner to assist in the carrying on or conducting of his, her or its business, including any person acting on behalf of or on the authority of such employer.

"Protected disclosure" or "disclosure," means a disclosure made in terms of this policy or the Act;

"the Act" means the Protected Disclosure Act, 2000 (Act 26 of 2000) as amended;

"Whistle blower" means a person who has made a disclosure in terms of this policy or the Act; "occupational detriment", in relation to the working environment of an employee, means-

(a) being subjected to any disciplinary action;
(b) being dismissed, suspended, demoted, harassed or intimidated;
(c) being transferred against his or her will;
(d) being refused transfer or promotion;
(e) being subjected to in terms of condition of employment or retirement which is altered or kept altered to his or her disadvantage;
(f) being refused, or being provided with an adverse reference, from his or her employer;
(g) being denied appointment to any employment, profession or office;
(h) being threatened with any of the actions referred to in paragraphs (a) to (g) above or
(i) being otherwise adversely affected in respect of his or her employment, profession or office, including employment opportunities and work security;

3. THE PURPOSE OF THIS POLICY

The purpose of this policy is to provide a clear, confidential, and lawful mechanism for the reporting, investigating and management of suspected or actual impropriety within the department, while protecting persons who make such disclosures from occupational detriment. To also provide procedures in which an employee / service provider/stakeholders can disclose information regarding improprieties in the workplace.

4. SCOPE OF THE POLICY

This policy applies to:

4.1 Employees of the Department, External Stakeholders, Workers, Consultants, Contractors, Volunteers, Interns, Learners, Agency Workers, Former Employees and Job Applicants (where applicable);
4.2 The policy does not apply to personal grievances, which are dealt with in terms of the existing procedures on grievance, discipline and misconduct.
4.3 The policy excludes Labour grievances, service complaints and anonymous malicious complaints, but allows anonymous protected disclosures;
4.4 The policy covers all genuine concerns raised, but not limited to: -

4.4.1 Unethical conduct leads to financial losses.
4.4.2 Failure to comply with a legal obligation;

4.4.3 Fraud, Corruption and maladministration;

4.4.4 Attempt to conceal any of the above matters deliberately;

4.5 If during an investigation any concern raised in relation to the above matter appears to the investigator to relate more appropriately to grievance or discipline, those procedures will be evoked.

5. LEGISLATIVE FRAMEWORK

The policy derives its mandate from the following legislation or prescripts: -

5.1 Protected Disclosures Act, (No. 26 of 2000);

5.2 Promotion of Access to Information Act, (No. 2 of 2000);

5.3 A guide for Public Sector Accountability implementing the Protected Disclosures Act;

5.4 Prevention and Combating of Corrupt Activities Act, (No. 12 of 2004);

5.5 Public Finance Management Act, (No. 1 of 1999)

5.6 Protection of Personal Information Act, (No.4 of 2013);

5.7 Public Administration Management Act 11 of 2014;

5.8 Cybercrimes Act 19 of 2020.

6. OBJECTIVES OF THIS POLICY

The objectives of this policy are to:

6.1 Encouraging an environment that encourages transparency among staff members, service providers, and stakeholders, paying attention to their concerns, and promoting the proper use of this policy, which will be distributed to both new and current employees.

6.2 Fostering an environment that encourages transparency among staff members, service providers, and stakeholders, paying attention to their concerns, and promoting the proper use of this policy, which will be distributed to both new and current employees.

6.3 To provide guidance to any employee, service provider, or stakeholder who has a legitimate suspicion of fraud, corruption, or wrongdoing.

6.4 To Promote an ethical organizational culture which protects whistleblowers against occupational detriment and to strengthen accountability and good governance.

6.5 Concerns must be raised without mischievousness, in good faith and not for personal gain and the individual must reasonably believe that the information disclosed, and any allegations contained in it are substantially true.

6.6 The Policy applies to and protects unsubstantiated disclosures made in good faith but does not apply to false disclosures.

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6.7 Present means redress if an employee is dissatisfied with the response of Department to a protected disclosure.

7. POLICY FRAMEWORK

7.1 RESPONSIBILITY OF THE EMPLOYER

The Department commits itself to a culture that promotes openness. This must be done by: -

7.1.1 Educational training, awareness campaigns, annual campaigns, posters, intranets publication, inductions training for employees about the events which constitute fraud, corruption and malpractice including the effect they have on the Department;

7.1.2 Involving employees, listening to their concerns and encouraging the appropriate use of the process of whistle blowing as outlined in this policy;

7.1.3 Determine whether the information provided is sufficient to be investigated and, if so, whether the matter should be investigated internally, through the Directorate: RAIM or be referred to other relevant stakeholders.

7.1.4 Investigating allegations of fraud, corruption and maladministration;

7.1.5 To ensure strict and proper implementation of this policy.

7.2 CONFIDENTIALITY

All allegations of fraud, corruption and serious maladministration will be treated with confidentiality, and every effort will be made, subject to any legal constraints, not to reveal the identity of the whistle-blower. Any request made for access to information relating to protected disclosures will be managed in accordance with the provisions of the Promotion of Access to Information Act 2 of 2000 (PAIA), subject to applicable exemptions protecting confidential information and whistleblower identity.

7.3 MALICIOUS REPORTING

Whistleblowers are discouraged from making malicious claims. False claims cost the Department money and damaged its reputation. Appropriate action will be taken against a whistleblower if it is demonstrated that they made malicious allegations on purpose.

A distinction is drawn between a "false disclosure" and an "unsubstantiated disclosure". Many whistleblowers report honestly but cannot prove allegations. The policy protects disclosures made in good faith even where allegations cannot ultimately be substantiated.

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7.4 PROCEDURE FOR DISCLOSURE

7.4.1 An employee may make a disclosure to any of the following: -

7.4.1.1 The Head of Department;

7.4.1.2 The MEC for COGTA;

7.4.1.3 The Public Protector;

7.4.1.4 The Auditor-General;

7.4.1.5 To the Director RAIM

7.4.1.6 To the National Anti-Corruption hotline number (0800 701 701);

7.4.2 The disclosure should be in writing, and the employee can either write her/his name or be anonymous in the written disclosure.

7.4.3 The employee is entitled to choose any of the people mentioned in clause 7.4.1 to whom the disclosure may be made.

7.4.4 Once a disclosure is received, it will be forwarded to the Directorate: RAIM for investigation.

7.5 PROTECTION OF A WHISTLE BLOWER

7.5.1. Department is committed to fostering an environment in which employees can report unlawful conduct, corruption, maladministration, unethical behaviour, or any other impropriety in good faith without fear of retaliation.

7.5.2. No employee who makes a protected disclosure in accordance with this policy shall be subjected to any form of occupational detriment because of making such disclosure.

7.5.3. Employees who believe that they have been subjected to retaliatory action are entitled to report the matter through the prescribed grievance, disciplinary or other appropriate mechanisms and may seek any remedies available under applicable Labour law.

7.5.4. Managers and Supervisors shall ensure that employees who make protected disclosures are treated fairly, their rights are respected, and no adverse employment action is taken against them for making a disclosure that qualifies for protection."

7.5.5. The Department will adopt the "No need-to-know Principle" for cases reported in the quarterly/monthly reports, i.e. details of the case and the progress of the investigations can be withheld to protect the confidentiality of the investigation.

7.6. CONTRAVENTIONS

7.6.1. An employee who makes a disclosure in bad faith or who makes an allegation without having reasonable grounds for believing it to be true may be subjected to disciplinary action.

7.6.2. Any person who subjects an employee in any form of occupational detriment on account or partly on account of having made a protected disclosure may be subjected to disciplinary action.

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7.6.3. Any person who contravenes or fails to comply with any provision of this policy may be subjected to disciplinary action.

8. RESPONSE PLAN OF THE DEPARTMENT

8.1 The Department has a resolute Unit responsible for investigation services. RAIM maintains a case register of allegations reported for investigation.

8.2 Allegations reported to the Department are screened / assessed by the Investigator to establish whether they meet the minimum elements of fraud, corruption, and/or serious maladministration and to determine on a preliminary basis the strategy to act in response to the allegations made.

8.3 Where the matter does not have elements of fraud, corruption, and serious maladministration, and is more related to Labour-related issues that can be solved at a line function they are referred to the relevant Directorate.

8.4 In cases where the matter reported does not have elements of fraud, corruption and serious maladministration and is more related to internal controls deficiencies, a recommendation on the improvement of controls will be made and communicated accordingly by the relevant business Directorate.

8.5 Where appropriate, the matters raised may be investigated internally; and/or referred to other Law Enforcement Agencies such as the Special Investigating Unit (SIU), South African Police Services (SAPS) etc.

8.6. The whistle blower must be informed if progress is made in the investigation within 21 days and as well as the outcome of the case.

9. MONITORING, EVALUATION AND REPORTING

The department, through its delegated structures, shall monitor and evaluate the effectiveness of the implementation and report to the Head of Department on an annual basis, whilst the Directorate of Risk, Anti-Corruption and Integrity Management, in consultation with the Directorate of Legal Services, will conduct periodic reviews.

10. THE INVESTIGATION PROCESS

10.1 Investigation periods

- When a disclosure has been made, the person to whom the disclosure was made shall as soon as reasonably possible but within a period of 21 days after the disclosure has been made, acknowledge in writing receipt of the disclosure and inform the whistleblower:
- That the matter will be investigated and where possible indicate the timeframes.
- That the matter will not be investigated and the reasons therefore;
- That the matter will be referred to another person or body and the reasons therefore;

- Where the person to whom the disclosure was made is unable to decide within a period of 21 days whether the matter will be investigated or not, that person shall, at regular intervals of not more than two months at a time, inform the whistleblower in writing that the decision is still pending.
- The whistleblower must be advised within six months from the time they have made the disclosure of the decision to investigate or not.

10.2 HOW TO RAISE A CONCERN

(A) In Person reporting: It is recommended that a whistleblower should raise concerns with their immediate supervisor or with any of the people mentioned in clause 7.4.1 of this policy.

(B) Via the National Hotline: by calling 0800 701 701.

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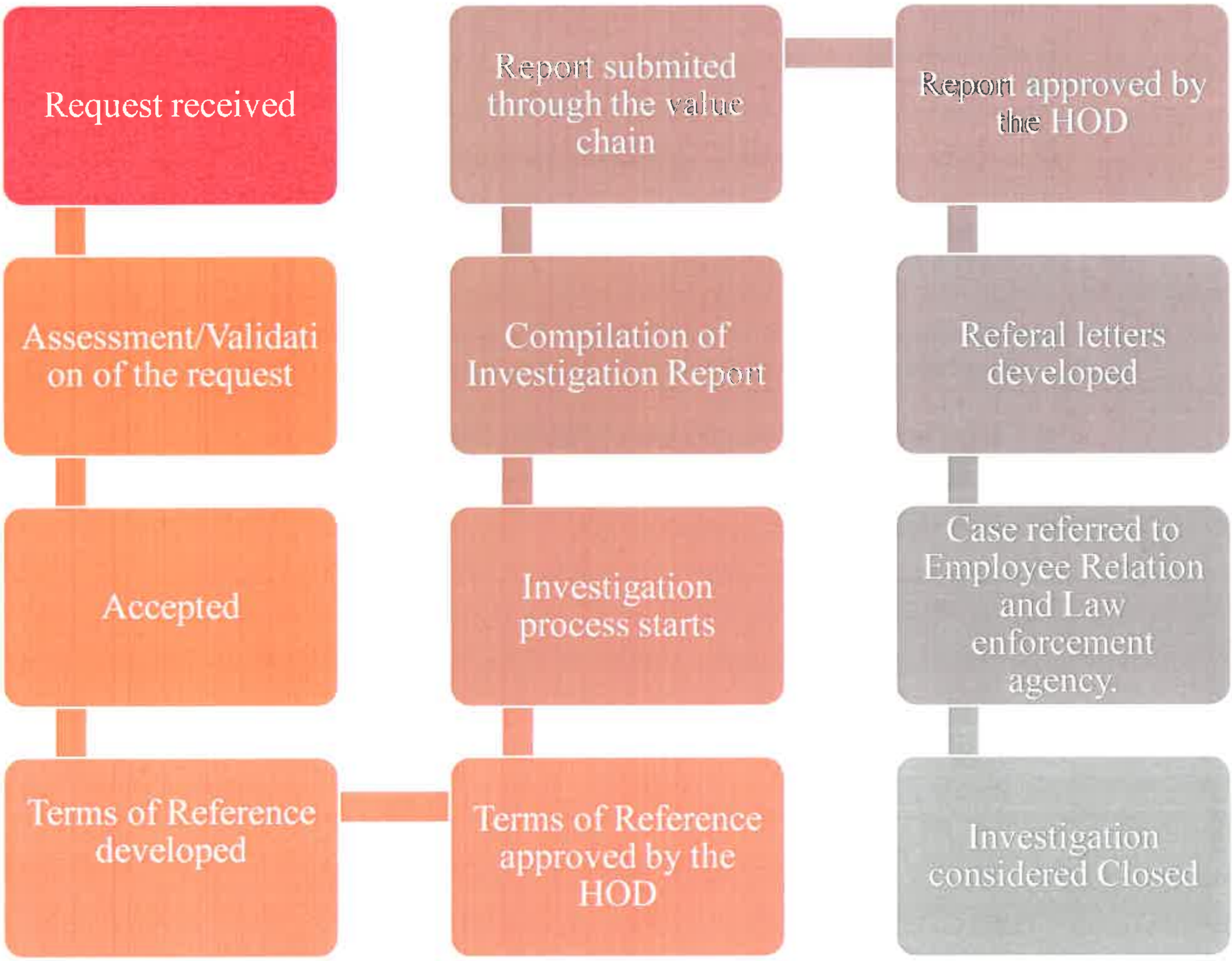
10.3 See below Annexture A: Investigation Process



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