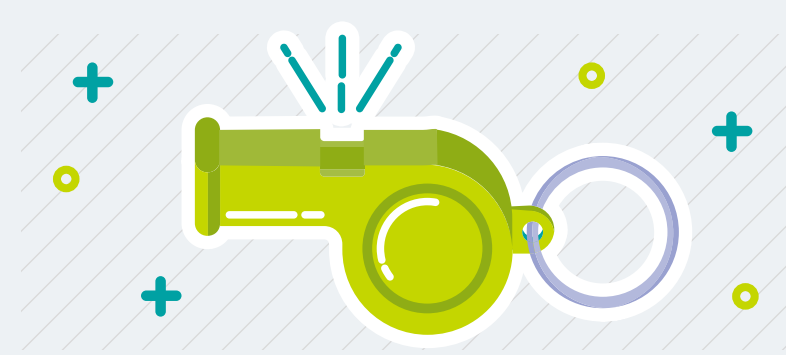


Let's make whistle-blowing our culture!

September is the month we celebrate our diverse heritage and culture as a rainbow nation. Our ancestors overcame many obstacles to allow us to enjoy the freedom of this democratic country which we love. We were all born and raised with certain cultural backgrounds that shape our lives in different ways and determine how we deal with and react to situations. Likewise, each organisation has several cultural traits that we adopt and become part of when we choose to join it.

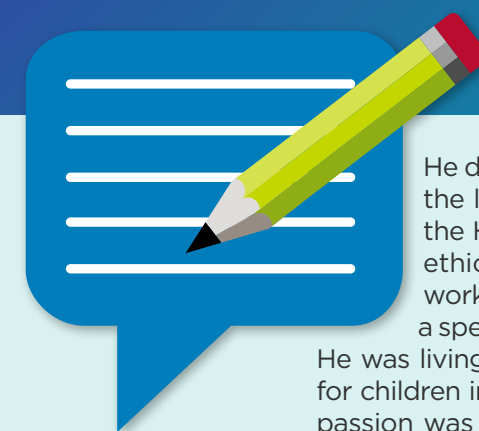
The WCG has a zero-tolerance culture towards fraud and corruption and supports a proactive approach to detect and respond to economic crimes. One of the objectives of the [WCG Anti-Fraud and Corruption Strategy](#), is to create relationships between citizens of the Western Cape, stakeholders and government to strengthen the fight against fraud and corruption, which includes the promotion of responsible whistle-blowing.



It occasionally happens that whistle-blowers suffer at the hands of their employers for speaking up against unlawful conduct in the workplace. Whistle-blowers may also often be unfairly labelled as menaces, spies, "impimpis" or "moelikhedmakers" which casts a cloud over this commendable act.

By adopting a culture of **responsible whistle-blowing** in the WCG, we are mindful of the fact that speaking out and blowing the whistle takes a lot of courage. Whistle-blowers are heroes that should be supported and celebrated.

The story of Dr Tim de Maayer



He dreamt of becoming someone who saves the lives of children, studied medicine, took the Hippocratic Oath to uphold the medical ethics of his profession and dedicated his work to the public sector where the skills of a specialist paediatrician was greatly needed. He was living out his passion to improve healthcare for children in the public healthcare system – but his passion was swiftly hit with the stark reality of the

public healthcare system. In May 2022, Dr Tim de Maayer, decided to speak out on the challenges he and his colleagues faced on a daily basis at the Rahima Moosa Mother and Child Hospital in Coronationville, Gauteng, as a wake-up call for the hospital heads. He highlighted inadequacies that had been reported to Administrators on multiple occasions, but the issues were not attended to and

he opted to write an open letter which was published in the media. This was the way that Dr de Maayer decided to blow the whistle. The Daily Maverick published his letter which received praise from the medical fraternity, but Dr de Maayer's superiors were not happy with this. Dr de Maayer was suspended due to the issues outlined in his open letter shortly after the letter was published. This led to an immense outcry from the public. A petition was circulated,

calling for his suspension to be lifted and in less than 24 hours, 45 000 people signed this petition. There was an outpouring of support for Dr de Maayer on social media from medical professionals, medical bodies, government entities and the public. Faced with the pressures of the public outcry, Dr de Maayer was reinstated, and the board members of the hospital committed to work together to address the issues he reported in his open letter.

This story should resonate with us - reporting unlawful conduct or dangerous and hazardous conditions in a work environment should not lead to us being victimised or suffering any form of occupational detriment in the workplace. The inspiration we should draw on emanates from the massive support that Dr de Maayer received for standing up against the appalling working environment which placed the lives of patients at the hospital at risk. Instead of being viewed negatively, as someone going up against his employer, he was hailed a hero, for speaking up!

What is my role?

We all have a role to play when it comes to whistleblowing, the most important being, the ability to speak out and report any suspicions of unlawful conduct that we may become aware of.

We must embrace the reporting culture while supporting one another and ensuring that we create an environment where we may confidently and responsibly report suspicions, without the fear of being victimised.



Who can you report to and requirements?

You can report unlawful conduct using one of the 5 options listed below and follow the requirements for each option:

Option 1 Internal Disclosure	Option 2 Legal Advisor	Option 3 Provincial/National Minister	Option 4 Regulatory Bodies	Option 5 General Disclosure e.g. SAPS and Media
<ul style="list-style-type: none"> Act in good faith Follow your employer's internal channels for reporting, which is to disclose to: <ul style="list-style-type: none"> Manager or HOD, PFS(if in mandate) and; Internal Assurance Providers (IC, IA, EO) 	<ul style="list-style-type: none"> Make a disclosure to a legal advisor in order to obtain legal advice in respect of the disclosure 	<ul style="list-style-type: none"> Act in good faith Your employer must be appointed by the Minister/MEC 	<ul style="list-style-type: none"> Report to regulatory bodies such as Public Protector, South African Human Rights Commission, Auditor General, etc. Act in good faith Have a reasonable belief that the concern falls within the mandate of the body Have a reasonable belief that information disclosed is substantially true. 	<ul style="list-style-type: none"> Act in good faith; Have a reasonable belief that the information disclosed is substantially true; Disclosure must not be made for personal gain; It must be reasonable in the circumstances to make a general disclosure; The matter must be exceptionally serious No action by employer or regulatory body was taken You have a reason to believe evidence will be concealed or destroyed if made to employer You have a reason to believe you will be subjected to occupational detriment when you report to employer.

How do I blow the whistle responsibly?

Follow the guidelines in the [Whistleblowing Policy](#) which is in line with the Protected Disclosures Act 26 of 2000.



What can I report?

- Deliberate cover up of any of the other matters mentioned here
- Crime (any unlawful conduct)
- Failure to comply with a legal duty
- Miscarriage of justice
- Damage to health and safety
- Damage to the environment
- Discrimination that is unfair according to our law

The Protected Disclosures Act 26 of 2000, offers whistle-blowers with protection against occupational detriment, such as:


- Disciplinary Action - Dismissal, suspension, demotion
- Harrasment or intimidation
- Transfer against your will
- Being subjected to a term or condition of employment or retirement altered to your disadvantage
- Being denied an appointment to any employment, profession or office
- Being subjected to a civil claim or criminal action for alleged breach of a duty of confidentiality

Remedies for occupational detriment:

- Approach any court with jurisdiction including the Labour Court to seek appropriate relief
- Follow any other process allowed or prescribed by any law
- Request for a transfer if reasonably possible or practicable, be transferred to another position or post in the same division, or another organ of state, in the same position or position held at the time of the disclosure

Speak out

You can report suspicions of **corruption, fraud** and **theft**, in good faith to:



Post: PO Box 659, Cape Town, 8000
Tel: 021 483 0901
E-mail: Tip.Offs@westerncape.gov.za
Toll-free to National Anti-corruption Hotline (**NACH**): 0800 701 701

This Heritage Month, let us embrace our organisation's culture of breaking the silence by speaking out against crime and improprieties, standing in solidarity and supporting those officials who blow the whistle.

Consult the [Whistle-blowing Policy](#) on where to report any other wrongdoings.