



**GEPF**

# **Whistleblowing Policy**

**Effective Date: 23 March 2023**

Document Classification:

**Confidential**

© GEPF 2023

# Confidential

## Table of Contents

Topic	Page
DOCUMENT VERSIONS.....	3
DOCUMENT REFERENCE LIBRARY.....	3
BUSINESS AREAS IMPACTED BY THIS POLICY.....	3
GLOSSARY OF TERMINOLOGY.....	4
PURPOSE OF THE POLICY.....	5
SCOPE.....	5
GOVERNANCE, MANAGEMENT, AND INVESTIGATION.....	6
POLICY ENFORCEMENT AND SANCTIONS.....	7
MONITORING, POLICY REVIEW AND RESPONSIBILITIES.....	7
REPORTING AND ACCESSIBILITY OF POLICY.....	8
INTERPRETATION.....	8
APPROVAL.....	8

# Confidential

## Document Versions

Version	Revision Date	Prepared / Revised by	Business Unit	Status
1.1	March 2023	GEPF	Secretariat (Ethics)	Draft

## Document Reference Library

Document File Name	Context and Relevance
Whistleblowing Policy	The protection of Whistle-blowers, including identity protection (keeping the identity of the Whistle-blower confidential),

## Business Areas Impacted by This Policy

Name Business Unit / Area	Context and Relevance
GEPF	The protection of Whistle-blowers, including identity protection (keeping the identity of the Whistle-blower confidential),

# Confidential

## 1. GLOSSARY OF TERMINOLOGY

- |     |                                 |  |
|-----|---------------------------------|--|
| 1.1 | <b>GEPF</b>                     | Government Employees Pension Fund  |
| 1.2 | <b>PDA</b>                      | Protected Disclosure Act 26 of 2000  |
| 1.3 | <b>SAPS</b>                     | South African Police Services  |
| 1.4 | <b>Whistle-blower</b>           | Someone who discloses Reportable Conduct. A Whistle-blower can be a current or former partner, trustee, officer, company secretary, employee, service provider, or volunteer. It also applies to relatives, dependents, or spouses of any of these people. |
| 1.5 | <b>Staff Member/Employee</b>    | Full-time, part-time, and casual employees of GEPF.  |
| 1.6 | <b>Trustees</b>                 | Board of Trustees and Substitute Trustees.   |
| 1.7 | <b>Whistle-Blower Committee</b> | The Committee responsible for championing the Whistle-blower program and overseeing its implementation and effectiveness. This may also include any structure that the Fund may find appropriate to deal with Whistle-Blower matters.                      |
| 1.8 | <b>Whistle-blower Report</b>    | A Reportable Conduct disclosure made by a Whistle-blower that is being treated in accordance with this Policy.   |

# Confidential

## 2. PURPOSE OF THE POLICY

- 2.1 The purpose of the Policy is to provide means by which the Government Employees Pension Fund (GEPF)'s employees can raise concerns where they have reasonable grounds for believing that there is fraud, corruption, crime, or impropriety within the GEPF.
- 2.2 The protection of Whistle-blowers, including identity protection (keeping the identity of the Whistle-blower confidential), is fundamental to achieving the objectives of this Policy.
- 2.3 The Board of Trustees may determine the appropriate reporting mechanism for Trustees, Substitute Trustees and Independent Specialist Trustees.
- 2.4 The Policy sets out the conditions and procedures for investigations of allegations of corruption, fraud and any other misconduct.
- 2.5 The Policy is aimed at creating a culture that will facilitate the disclosure of information by employees relating to criminal and irregular conduct within the GEPF and its major service providers, the Government Pensions and Administration Agency and Public Investment Corporation.
- 2.6 The Policy also affirms the protection of employees against any reprisals as a result of reporting impropriety in compliance with the GEPF processes.

## 3. SCOPE

- 3.1 The GEPF is committed to maintaining the highest possible standards of ethical standards within the Fund and its associated entities, such as the Government Pensions and Administration Agency (GPAA) and Public Investment Corporation (PIC).
- 3.2 The Policy covers all genuine concerns raised, including:
  - 3.3.1 Fraud, Corruption, Corporate Crime and Misconduct.
  - 3.3.2 Financial misconduct.
  - 3.3.3 Environmental, Health and Safety Risks.
  - 3.3.4 Discrimination.
  - 3.3.5 Contravention of the GEPF's Ethics Code.
  - 3.3.6 Any attempt to suppress and conceal any information relating to any of the above.
- 3.3 The nature of the matters reported will inform the investigation process. Certain matters will be dealt with in terms of the existing GEPF's disciplinary procedures whilst others may require the intervention of South African Police Services or any other Law

# Confidential

Enforcement Agencies within the SAPS, such as the Directorate for Priority Crime Investigation.

- 3.4 This Policy will also apply to all employees if such matters are reported through the GEPF's whistle-blower's platform.

## 4. GOVERNANCE, MANAGEMENT, AND INVESTIGATION

- 4.1 The GEPF is committed to the highest levels of ethics and integrity in the way that we do business. We understand that this is crucial to our continued success and reputation. This Policy will form part of the GEPF's commitment towards a culture of openness and transparency. The protection of whistle-blowers is fundamental to the success of this programme.
- 4.2 The GEPF has a responsibility to ensure that confidentiality is maintained in dealing with information obtained from whistle-blowers.
- 4.3 All concerns disclosed will be treated in confidence and every effort will be made not to reveal the identity of Whistle-blowers without their permission, unless there are legal requirements to do so (for example, if a Whistle-blower is required to be a witness) and their identities may need to be disclosed. However, reasonable steps will be taken to protect the Whistle-blowers' identity in the event they are required to be a witness in matter before a court.
- 4.4 Where a whistle-blower reports false information, knowing it to be false, the above protection will not be available to them, and if they are an employee, they may face a disciplinary proceeding in line with the GEPF's disciplinary processes.
- 4.5 The protection of Whistle-blowers, including identity protection (keeping the identity of the Whistle-blower confidential), is fundamental to achieving the objectives of this Policy. Any form of retaliation, discrimination, harassment, or intimidation of a Whistle-blower by others as a result of raising concerns through this Policy will not be tolerated and the relevant member of the GEPF will take action to protect a Whistle-blower who raises a concern in good faith.
- 4.6 Although the GEPF will endeavor to support all Whistle-blowers, we will not be able to provide the same practical support to non-employees. Consequently, the processes in this Policy will be adapted and applied to the extent reasonably possible.
- 4.7 All Whistle-blower Reports will be taken seriously by the GEPF. They will all be assessed carefully to determine whether an investigation is required. The outcomes of the investigation are reported to the Ethics Office or a Whistle-blower Committee or any structure that the Fund may opt to establish. The Committee will review the outcome and determine appropriate actions to respond to the matter.

# Confidential

- 4.8 All reported incidents will be acknowledged within seven days (7) of receipt, excluding weekends or public holidays with the exception of anonymous reports.
- 4.9 A decision regarding whether a preliminary investigation should be carried out will be made within two (2) weeks of a complaint having been received. In cases where it is not possible, the person making the complaint will receive an explanation for the delay.
- 4.10 If an investigation is deemed necessary, a recommendation will be made by the Ethics Office for the Principal Executive Officer to appoint an investigator or investigation team. The investigation team or investigator will be experienced specialists in the field. The Fund may also opt to outsource the investigation to a reputable service provider.
- 4.11 Complaints impacting the Principal Executive Officer will be escalated directly to the Chairperson of the Board.
- 4.12 All employees will be expected to co-operate fully with the investigator appointed by the Fund, and they shall have unrestricted access to information that will assist them to carry out an investigation.
- 4.13 The GEPF takes into cognisance that there might be matters that cannot be dealt with internally and in that case the external service provider will be appointed. The GEPF will endeavor to inform the whistle-blower if matters are referred to external service providers. In some instances, the GEPF may refer matters without the whistle-blower's knowledge or consent if the GEPF considers it appropriate.

## 5. POLICY ENFORCEMENT AND SANCTIONS

- 5.1 Violation of this Policy by any staff member will subject to such person to appropriate disciplinary action in line with the GEPF's disciplinary processes. This may also include termination of employment contract for staff.

## 6. MONITORING, POLICY REVIEW AND RESPONSIBILITIES

- 6.1 This Policy must be reviewed by the Social and Ethics Sub-Committee, and recommended to the Governance and Legal Committee, at least every three (3) years, or earlier if there are changes to the laws governing whistle-blowers which necessitate amendment to the Policy, in which case the Policy must be updated and submitted to the Committee for consideration and recommended to the Board of Trustees for approval.
- 6.2 Departmental Heads have a responsibility to facilitate the implementation of the Policy and to ensure that members of staff within their respective units feel free to raise concerns without fear in line with the principles set out in this Policy.
- 6.3 In case an employee has doubt or questions pertaining to the application of this Policy may contact the Ethics Officer for advice.

# Confidential

## 7. REPORTING AND ACCESSIBILITY OF POLICY

- 7.1 This Policy is available on the GEPF's intranet and other digital platforms. This will include information related to the hotline.
- 7.2 Employees can seek confidential information on the operation of this Policy and how disclosure will be handled, without making a disclosure, by contacting the Ethics Officer.
- 7.3 Employees may report their concerns anonymously when using the independent Whistle Blowing Hotline in place. All reports, whether made anonymously or not, will be treated as confidential and the identity of the employee will be safeguarded.

## 8. INTERPRETATION

In the event of any inconsistency between this Policy and the Rules of the Fund, the Rules shall prevail.

## 9. APPROVAL OF POLICY

### ~~RECOMMENDED / NOT RECOMMENDED~~



MR P SNYMAN

CHAIRPERSON: GOVERNANCE AND LEGAL COMMITTEE

DATE: 23/03/2023

### ~~APPROVED / NOT APPROVED~~



MR D MOGAJANE

CHAIRPERSON: BOARD OF TRUSTEES

DATE: 23/03/2023