



WHEN YOU NEED TO BLOW THE WHISTLE

A QUICK GUIDE TO YOUR RIGHTS AND RESPONSIBILITIES



01

YOUR OBLIGATION TO RAISE A FLAG

On employment we accept a duty to act in the best interests of our employer. Reporting suspected or known unethical activity forms part of this duty. Both employers and those who serve them, for example as employees and contractors, have rights and responsibilities regarding the reporting of wrongdoing. These rights and responsibilities will be set out in the legislation of the applicable countries and / or in the employer's policies.



02

YOUR RIGHT TO KNOW HOW TO REPORT WRONGDOING

Employers need to communicate the avenues by which stakeholders including employees can fulfill their duty to report unethical and illegal activity. You can make open and confidential reports using internal channels, and you can make confidential and anonymous reports via your ethics hotline service provided by Whistle Blowers. Make sure you are familiar with your employer's policy and take note of the applicable Whistle Blowers contact details.



03

MATTERS PROTECTED BY WHISTLEBLOWING LAWS

Whistleblower protection does not apply to every report complaint made. For example, such laws and policies may not apply to matters that should be raised using informal and formal workplace grievance procedures but will apply to reports of potential or actual criminal offences and to failures to comply with legal obligations that apply in the country in which you work. If you work for an employer headquartered in another country, the laws of that country will also apply to your rights and obligations.



04

CRITERIA FOR A DISCLOSURE TO BE PROTECTED

To qualify for legal protection, a disclosure must be made in good faith, and you must reasonably believe your information to be true. You should be reporting because the employer needs to be aware of the matter and not for personal gain. You should follow the applicable procedures for reporting and your employer policies and/or country whistleblower protection law will explain these criteria.



05

THE RIGHT NOT TO SUFFER RETALIATION

If you make a protected report, you have a right not to suffer adverse consequences relating to your employment status. The following are examples of 'occupational detriment' prohibited in most countries: harassment, intimidation or disciplinary action, disadvantageous alteration of terms and conditions, refusal to give a reference or an unfairly negative reference, civil claim for breach of confidentiality, and other types of negative impact on employment prospects or job security.



06

THE RIGHT TO FEEDBACK

Whistleblowers have the right to feedback regarding whether the employer is investigating an allegation and if not, why not, and what the outcome of any investigation is. However, the employer is not required to provide information that might compromise an investigation or contravene another law. Remember, if you make a report anonymously, your employer will not be able to contact you to provide feedback, but you can safely maintain contact and follow-up with feedback requests via your ethics hotline.



07

THE OFFENCE OF FICTITIOUS REPORTING

You may be committing a legal offence in terms of the law, and you will be committing gross misconduct in your employment relationship, if you abuse whistleblowing systems by making a report that you know, or reasonably ought to know, is false. Don't abuse the resources that exist to protect the best interests of your colleagues and your employer. Where intentional harm is caused and suffered, the whistleblower protection laws of many countries provide for criminal penalties including fines and imprisonment.

Report suspected or known wrongdoing using the internal channels available in your organisation, or make an open, confidential or anonymous report via Whistle Blowers, your ethics hotline.

We provide a range of reporting methods and your employer publishes the applicable contact details you can use. The contact details and reporting channels available to you will vary according to the country in which you are based. To learn more about us, visit our website at www.whistleblowing.co.za,

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