

ENQUIRIES : EXECUTIVE: RISK AND COMPLIANCE

APPLICABLE : ALL ATNS EMPLOYEES

REFERENCES : RC DIR 7/2010  
HC DIR 26/2010  
PUBLIC DISCLOSURE ACT 26 OF 2002

## WHISTLE BLOWING PROCESS

### 1. INTRODUCTION

This process is intended to help employees who have major concerns over any suspected wrong-doing within Air Traffic and Navigation Services ("the company") which could relate to unlawful conduct or financial malpractice. This process document must be read with the Fraud Directive (RC Dir7/2010), ATNS Disciplinary Code and Grievance Procedure (HC Dir26/2010) and Human Capital procedures.

### 2. OBJECTIVES

The objectives of this process document are to:

- 2.1 encourage employees to feel confident in raising serious concerns and to question and act upon their concerns;
- 2.2 provide ways for employees to raise those concerns and get feedback on any action taken as a result; and
- 2.3 reassure employees that if they raise any concerns in good faith and reasonably believe them to be true, they will be protected from possible reprisals or victimisation.

It is not intended to be used where other more appropriate procedures are available, for example, grievances etc (see ATNS Disciplinary Code and Grievance Procedure, RC Dir 7/2010).

### 3. HOW SHOULD AN EMPLOYEE RAISE A CONCERN?

It is the responsibility of every official/employee to report all suspected incidents of corruption, fraud or theft or similar crime relating to actual or potential losses to the designated official/through the designated channel. As soon as an employee becomes reasonably concerned, he/she should raise the issue by calling the **Fraud Hotline (0800 220 917)** published through the company's communication means. Callers may choose to be anonymous, however, employees are encouraged to provide their name and contact details, especially if further investigation is required.

### 4. HOW WILL THE COMPANY RESPOND?

- 4.1 The company will initially assess what action should be taken. This may involve an internal inquiry or a more formal investigation.
- 4.2 Some concerns may be resolved by agreed upon action without the need for investigation.
- 4.3 A preliminary investigation will be conducted on all matters raised before action can be taken.
- 4.4 However, where there are reasonable grounds to believe that witnesses are intimidated by the presence of an individual on which the matter is being raised ("affected person"), an immediate action will be taken. Amongst others, an immediate action could include asking the individual to be absent from duty while the preliminary investigation carries on.

- 4.5 All information relating to the matter raised and investigated will be treated confidentially. Information will not be disclosed or discussed with any person(s) other than those who have a legitimate right to such information.
- 4.6 Due care should be taken not to harm the reputation of the affected person.
- 4.7 Where appropriate, the matters raised may:
  - 4.7.1 be investigated by management, internal audit or through the disciplinary process;
  - 4.7.2 be referred to the police;
  - 4.7.3 be referred to the external auditor; or
  - 4.7.4 form the subject of an independent inquiry.

## **5. WHAT SAFEGUARDS ARE THERE FOR AN EMPLOYEE?**

- 5.1 The company will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect those who raise a concern in good faith.
- 5.2 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the employee.
- 5.3 No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the obligation is not subsequently confirmed by the investigation.
- 5.4 Assistance will be provided to an employee in order to minimise any difficulties which he/she may experience. This may include advice on giving evidence if needed. Meetings may, if necessary, be arranged off-site with an employee and with an employee representative, if requested.
- 5.5 If a concern is raised under this process document, an employee will not be at risk of losing his/her job or suffering any form of retribution as a result, provided that:
  - 5.5.1 the disclosure is made in good faith;
  - 5.5.2 an employee reasonably believes that information, and any allegations contained in it, are substantially true; and
  - 5.5.2 an employee is not acting for personal gain.
- 5.6 Every effort will be made to ensure confidentiality as far as this is reasonably practical.
- 5.7 Whistle-blowers making false allegations with malicious intent will be subjected to disciplinary action.

## **6. EXTERNAL DISCLOSURE**

- 6.1 If an employee is dissatisfied with the outcome of ATNS's response and reasonably believes that the information disclosed and the allegations contained therein are substantially true, he/she is at liberty to take the matter further.
- 6.2 In South Africa such an employee is obliged in terms of the Public Disclosure Act 26 of 2002, to report such dissatisfaction to:
  - 6.2.1 a legal representative;
  - 6.2.2 the Public Protector; or
  - 6.2.3 the Auditor-General.

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