



BOTSWANA
Qualifications Authority

WHISTLEBLOWING POLICY

Block 7, Plot 66450 Private Bag BO 340, Gaborone, Botswana
TEL: +267 365 7200 **FAX:** +267 395 2301
E-mail: customerservice@bqa.org.bw
Website: www.bqa.org.bw
Toll Free Line: 0800 600 934

SMS: (+267) 75671114
Twitter: @BQA_BWUpdates,
Facebook: BotswanaQualificationsAuthority, bqa
Skype : BQA_Botswana Qualifications Authority

TABLE OF CONTENTS

REVISION HISTORY	2
1. PRELIMINARY	3
2. ABBREVIATIONS	3
3. POLICY CONTENT	3
4. MALICIOUS REPORTING	8
5. REPORTABLE MATTERS	8
6. ROLES AND RESPONSIBILITIES	9
7. PROCEDURES	12
8. APPROVAL	13

BOTSWANA
Qualifications Authority

WHISTLEBLOWING POLICY

REVISION HISTORY

Date	Summary of changes	Version

1. PRELIMINARY

1.1 POLICY TITLE

The title of this policy is: **Whistleblowing Policy.**

1.2 INTERPRETATION

1.2.1 Designated Officials - Officials responsible for receiving whistleblowing reports from the Service Provider and determining the course of action to be taken.

1.2.2 Service Provider - An organisation appointed by the BQA to provide anonymous reporting channels, all year round, for use by both employees and stakeholders of the Authority.

1.2.3 Whistleblowing - Reporting of any act of mismanagement, corruption, illegality, or any other wrongdoing.

1.2.4 Whistleblower - A Whistleblower may be an employee, agent or stakeholder of BQA who makes a protected disclosure to the BQA through the appointed service provider about such a matter which he/she reasonably believes constitutes wrongdoing and has the potential of causing harm/damage to the organisation and its stakeholders.

2. ABBREVIATIONS

2.1 CEO - Chief Executive Officer

2.2 BQA- Botswana Qualifications Authority/The Authority

3. POLICY CONTENT

3.1 PURPOSE

WHISTLEBLOWING POLICY

The BQA is committed to conducting its business with honesty and integrity, and all employees are expected to maintain the high standards set out in the organisation's policies and procedures.

However, all organisations face the risk of malpractice and wrongdoing from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them in the event that they do occur.

3.2 SCOPE

Through this policy, Management of the BQA commits itself to promoting transparency and accountability to its stakeholders in the day-to-day operations of the Authority. The policy provides employees of BQA, together with the organisation's stakeholders, with an avenue for anonymously reporting wrong-doing and misconduct in a manner free of the threat of victimisation, with the overall purpose of protecting the reputation, assets, business and stakeholders of the Authority.

In this regard, the scope of this policy shall include but not be limited to the following guiding documents:

- i. BQA General Staff Conditions of Service;
- ii. BQA Financial Policies and Procedure Manual;
- iii. Botswana Qualifications Authority Act No. 24 of 2013
- iv. BQA Tender Regulations and Procurement Procedures, and
- v. Laws of Botswana in general.

3.3 POLICY OBJECTIVES

The objectives of this policy are:

- i. To provide a safe and secure mechanism for reporting and handling of anonymous and confidential reports of unethical conduct detrimental to the reputation of the Authority, its assets, stakeholders and agents;

WHISTLEBLOWING POLICY

- ii. To encourage employees and other stakeholders to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- iii. To provide employees and stakeholders with guidance regarding how to raise concerns, and regarding the steps the Authority will take to address those concerns;
- iv. To reassure employees and stakeholders that they should be able to raise genuine concerns without fear of reprisals, even if their concerns turn out to be mistaken. It is not necessary to have any proof of the wrongdoing or danger – a reasonable belief is sufficient.

In particular, the policy provides:

- i. A facility that offers staff members and all stakeholders an anonymous channel, available at all times, for reporting any acts of wrongdoing.
- ii. Assurance that all reports assessed to be genuine and non-malicious, shall be duly investigated and appropriate action taken against wrongdoers.
- iii. Protection to Whistleblowers, provided the report on the alleged wrongdoing is made in good faith under the genuine belief that an act or omission so reported, constitutes unethical conduct.
- iv. Protection to innocent members of staff against malice and retribution, aimed at causing injury to the feelings and reputation of innocent members of staff.
- v. That any malicious reporting shall constitute an offense punishable by law.

3.4 DESIGNATED OFFICIALS

WHISTLEBLOWING POLICY

The Designated Officials shall comprise the Risk and Audit Committee Chairperson, the Chief Executive Officer and the Manager Internal Audit.

Whistleblowing complaints will be handled with sensitivity, discretion and confidentiality and shall only be shared with those who have a need to know so that the Authority can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, involve law enforcement establishments.

3.5 WHISTLEBLOWING

3.5.1 VICTIMISATION AND RETALIATION

In order to protect the identity of Whistleblowers and eliminate possible victimization, the Authority shall engage the services of a third party to serve as the organisation's Service Provider. The Service Provider shall provide all Whistleblowers with the option of anonymity. The BQA Management also undertakes to treat any report of victimization with utmost seriousness.

The information received from the Whistleblower shall be treated with utmost confidentiality to protect the Whistleblower as well as the person or persons against whom the allegation is made. The Designated Officials shall not seek to interview any of the parties until a determination has been made that a *prima facie* case has been established which warrants progressive action.

However, the Designated Officials shall take reasonable steps to seek further information as necessary from the Service Provider who shall have the liberty to interview the Whistleblower, where possible, to seek further information.

3.6 WHISTLEBLOWER PROTECTION

The BQA shall accord protection against reprisal by guaranteeing that the Whistleblower, where the identity is somehow known or suspected by the alleged wrongdoer, shall not unduly be:

WHISTLEBLOWING POLICY

- i. Subjected to any disciplinary action;
- ii. Dismissed, suspended, demoted, harassed or intimidated;
- iii. Transferred as a punitive measure;
- iv. Discriminated against;
- v. Denied transfer, promotion or such other appointment;
- vi. Refused a favourable reference;
- vii. Denied any training opportunities;
- viii. Overlooked for growth opportunities in the organisation;
- ix. Interfered with during the course of the disclosure;
- x. Prevented from making such a disclosure by any person holding any position in the organization;
- xi. Denied business or such other opportunities;
- xii. threatened or intimidated, and
- xiii. Blacklisted where such reporting was made in good faith seeking to address a genuine concern.

Whistleblowers who believe that they have been retaliated against may file a written complaint with the Chief Executive Officer or the Manager Internal Audit. Any complaint of retaliation will be promptly investigated and appropriate action taken if such allegations are substantiated. This protection from retaliation is not intended to prohibit Supervisors from taking action,

WHISTLEBLOWING POLICY

including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

4. MALICIOUS REPORTING

The Whistleblower should, before making a complaint under this policy, reasonably believe in good faith that there exists sufficient reason or ground to make such complaint. Malicious reporting shall not be tolerated by the Authority. Where it is revealed that a complaint reported was inappropriate, for improper motives, or made in bad faith or without a reasonable and probable basis, the individual making the report, if identified, will be subjected to disciplinary action.

5. REPORTABLE MATTERS

Reportable matters include:

- i. Criminal offences such as, bribery, soliciting, fraud, corruption, forgery and alteration of documents, money laundering, obtaining by false pretence;
- ii. Misappropriation of funds, supplies or other assets.
- iii. Impropriety in the handling or reporting of financial transactions
- iv. Acting or failing to act (omission) where such an occurrence compromises the health and safety of other people and or causes damage to the environment
- v. Professional misconduct
- vi. Breach of a legal obligation

WHISTLEBLOWING POLICY

- vii. Unauthorised disclosure of confidential and proprietary information to outside parties.
- viii. Intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to procure an advantage, benefit or gain.
- ix. Destruction, removal, or unauthorised use of records, furniture, fixtures, and equipment.
- x. Accepting or seeking anything of material value from contractors, clients, vendors or persons providing services/materials to the Authority, unless pursuant to the Policy on Receiving Gifts as outlined in the BQA General Staff Conditions of Service.
- xi. Breach of BQA Conditions of Service
- xii. Breach of the Laws of Botswana
- xiii. Any other similar or related irregularity

6. ROLES AND RESPONSIBILITIES

6.1 WHISTLEBLOWER

- i. Following reporting, the Whistleblower shall not divulge any information regarding the report to any other person except through the established official channels.
- ii. The Whistleblower shall not seek personal gain from the alleged wrongdoer through extortion and/or blackmail or expect remuneration or reward from the Authority in return for making such a disclosure.

WHISTLEBLOWING POLICY

- iii. Anonymous whistleblowers must provide sufficient corroborating evidence to justify the commencement of an investigation. An investigation of unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support. Because investigators are unable to interview anonymous whistleblowers, it may be difficult to evaluate the credibility of the allegations and therefore, less likely to cause an investigation to be initiated.
- iv. The Whistleblower shall not make any malicious report – the Whistleblower must reasonably believe that the report being made constitutes wrongdoing.
- v. Whistleblowers are “reporting parties”, not investigators. They are not to act on their own in conducting any investigative activities.

6.2 DESIGNATED OFFICIALS

The Designated Officials shall:

- i. Receive information from the service provider, review it and make a determination as to whether it warrants further action;
- ii. Reports that implicate staff shall be sent by the Service Provider, simultaneously, to the CEO and the Manager Internal Audit. Reports involving the CEO shall be sent to the Chairperson of the Risk and Audit Committee and the Manager Internal Audit. Where the Manager Internal Audit is implicated, the CEO and the Risk and Audit Committee Chairperson shall receive the report. The recipients of the report shall decide on the course of action to be taken, and may involve other members of the Management team in this process as appropriate. The Designated Officials may notify or receive guidance from the Chairperson of the BQA Board of Directors where appropriate.
- iii. Appoint a panel where required, to undertake an investigation into reported allegations. The Manager Internal Audit shall be a member of the Panel, unless implicated in the matter to be investigated.
- iv. At all times endeavours to act with the necessary speed in order not to compromise any action which may be necessary to conclude the matter;

WHISTLEBLOWING POLICY

- v. Where it is determined that the scope or gravity of a reported matter so warrants, refer such a matter to relevant law enforcement authorities.
- vi. Be responsible for compiling regular reports to management regarding all reported activities for a particular period;
- vii. Arrange on a regular basis, training for staff on ethics related matters such as anti-corruption and fraud;
- viii. Make regular reviews to determine the efficacy of the interventions employed relating to the implementation of this policy and make, after due consultation, appropriate recommendations to the Board as necessary.
- ix. Where an investigation has been instigated, and disciplinary action recommended, the report of the investigation shall be submitted to the Supervisor of the affected employee to initiate disciplinary proceedings in line with the Authority's policies. The Chairperson of the investigating panel shall, through the appropriate designated officials, issue the written report to the relevant Supervisor. For non-BQA employees found to have perpetrated wrongdoing, the matter may be referred to the relevant law enforcement authorities for action.

6.3 THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer shall:

- i. Upon receipt of a whistleblowing report, convene a meeting with appropriate member(s) of the Management team as necessary to consider such a report and determine the course of action to be taken. The Manager Internal Audit and the Board Secretary shall attend the meeting.
- ii. Formally appoint in writing where required, an Investigation Panel to investigate reported allegations and produce a report thereof.
- iii. Where appropriate, suspend from duty, members of staff implicated in the reported matter pending investigation.

WHISTLEBLOWING POLICY

- iv. Receive investigation reports and direct them to appropriate personnel, generally Supervisors of implicated staff members, to instigate disciplinary proceedings where necessary.

6.4 SERVICE PROVIDER

The Service Provider shall be appointed by the BQA through appropriate procurement channels to provide the whistleblowing service.

- i. The Service Provider shall provide an anonymous reporting service that is available at all times.
- ii. The Service Provider shall, upon receipt of a report of alleged wrongdoing, expeditiously compile and issue to the appropriate Designated Officials by email, a report of the tip-off received.
- iii. The Service Provider shall produce regular analysis/summary reports to the Designated Officials in line with engagement contract entered into between the Authority and the Service Provider
- iv. The Service Provider shall advise the Authority on any other matters necessary for the optimization of the whistleblowing service.

7. PROCEDURES

- i. The Whistleblower shall contact the Service Provider through the established reporting channels to report, in good faith, unethical conduct.
- ii. The Service Provider shall document the report and send it to the Designated Officials who shall review it and make a determination as to whether it warrants further action.

WHISTLEBLOWING POLICY

- iii. The CEO or Chairperson of the Risk and Audit Committee as appropriate, shall institute such action, consistent with the Authority's policies and procedures.
- iv. Where in the opinion of the Designated Officials, the scope and gravity of the matter so warrants, the Chairperson of the BQA Board of Directors may be notified/involved.
- v. For cases involving the CEO, the Chairperson of the BQA Board may inform the Permanent Secretary on the outcome of the investigation, with recommendations on the appropriate course of action.
- vi. The Designated Officials shall inform the Service Provider of the action taken in response to the received reports, and the Service Provider shall in turn notify the Whistleblower of such action where possible.

8. APPROVAL

This policy was approved by the Board and signed on behalf by:

Issue No:	Version	Name	Designation	Signature	Date
		Prof. B. Mosimakoko	Chief Executive Officer		
		Mr. Gabaake	Board Chairperson		