

to accumulate a benefit for himself/herself.

- **Abuse of power:** An employee using his/her position of authority to improperly benefit or discriminate another official, person, or entity.
- **Bribery:** Promise, offering or giving of a benefit that improperly affect the actions or decision of the employee.
- **Conflict of interest:** An employee acting improperly or failing to act on a matter where the official has an interest.
- **Embezzlement:** Theft of resources by persons entrusted with the authority and control of such resources
- **Extortion:** Forcing a person or entity to provide a benefit to an employee, another person or an entity in exchange for acting or failing to act in a particular manner
- **Favouritism:** Provision of services or resources by an employee based on personal affiliations (ethnic group, religion, party political affiliations, etc)
- **Fraud:** Actions or behavior of an employee, other person or entity that fools other into providing a benefit that would not normally accumulate to the employee or other persons or entity
- **Nepotism:** An employee ensuring that family members, friends or any other person that the employee is related to are appointed to the Public Service positions or that family members receive contracts from the Department.
- **General:** Attempts to suppress or conceal any information relating to any of the above.

6. PROTECTION OF WHISTLE BLOWERS AGAINST HARASSMENT AND VICTIMIZATION

- An employee who reports suspected fraud and corruption may remain anonymous should he/she so desire.
- No person will suffer any penalty or retribution for reporting in good faith any suspected or actual incident of fraud and corruption which occurred within the Department.
- The Department discourages employees or any other persons from making allegations, which are false and made with malicious intentions. Where such allegations are discovered, the person who made the allegations must be subjected to firm disciplinary, or other appropriate action.
- The Department acknowledges the fact that the decision to report a concern can be a difficult one to make, not least because of fear of reprisal from those responsible for the irregularity.
- The Department will not tolerate harassment or victimization and will take reasonable action to protect employees when they raise a concern in good faith. Any act of harassment or victimization should be reported to the Head of Department, alternatively to the Director: Anti Fraud and Corruption Unit.

- This however does not mean that if an employee is already the subject of disciplinary or other Departmental corrective action, that action will be halted as a result of their whistle blowing.
- Protection against harassment and victimization for members of the public is subject to approval by SAPS Witness Protection Programmes.

7. CONFIDENTIALITY

- All information relating to fraud and corruption that is received and investigated will be treated confidentially. The progression of investigations will be handled in a confidential manner and will not be disclosed or discussed with any person(s) other than those who have a legitimate right to such information. This is important in order to avoid harming the reputations of suspected persons who are subsequently found innocent of wrongful conduct.
- The Department will do its best to protect an employee's identity when he/she raises a concern and does not want his/her identity to be disclosed. If the employee put such request (identity to be kept confidential) the Department will not disclose the identity. However, the Department does expect the same confidentiality regarding the matter from the employee.
- It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.
- If the above situation arise where the Department is unable to resolve the concern without revealing your identity. The Department will engage the employee concerned on how to proceed.

8. PUBLICATION OF SANCTIONS

- The Department will decide whether any information relating to corrective actions taken or sanctions imposed, regarding incidents of fraud and corruption should be brought to the direct attention of any person or made public through any other means.

9. CONTACT DETAILS

Anti Fraud and Corruption Unit
Bank of Lisbon Building
Cnr. Sauer and Market Street
2nd Floor

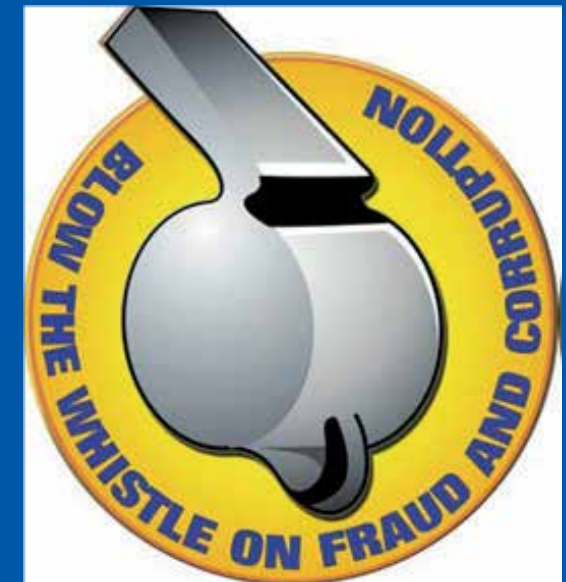
(011) 355-4324 (telephone)

(011) 355-4229 (telephone)

(011) 355-4327 (fax)



GAUTENG PROVINCE
HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA



**Ethics, Anti Fraud
and Corruption**

THE ANTI FRAUD AND CORRUPTION UNIT

MANDATE:

- To promote good governance and ethics
- To Investigate all allegations of fraud, corruption and maladministration in the implementation of Housing Programmes.

ROLES AND RESPONSIBILITY:

- Focus on and analyze Fraud and Corruption Risk
- Implement and Monitor the Fraud Prevention Plan
- Investigate all complaints /allegations of fraud and corruption reported. If a decision is taken not to investigate the allegations, the reasons will be provided.
- Conduct education and awareness campaigns on prevention and detection of fraud and corruption
- Detect Fraud & Corruption;
- Prevent possible re-occurrence
- Refer cases to other law enforcement agencies, such as South Africa Police Service.

1. WHAT SHOULD AN EMPLOYEE DO IF HE/SHE SUSPECTS FRAUD AND CORRUPTION?

- It is the responsibility of all employees to immediately report all allegations or incidents of fraud and corruption to their immediate managers.
- All managers are responsible for the detection, prevention and investigation of fraud and corruption and must report all incidents and allegations of fraud and corruption to the Head of Department. The Head of Department will initiate an investigation into the matter.
- Employees can also report allegations of fraud and corruption by contacting the National Anti-Fraud Hotline that is administered by the Public Service Commission on 0800 701 701.

2. HOW TO RAISE A CONCERN INTERNALLY (BLOWING THE WHISTLE)

Step one: The first step will be for the employee to raise the concern with his/her immediate supervisor/ manager. This may be done verbally or in writing.

Step two: If for whatever reason, the employee feels unable to raise the concern with his/her manager or feel that the matter is so serious that he/she cannot discuss it with any one in his/her business unit, the employee can approach the Director: Anti Fraud & Corruption Unit as per below information:

Anti Fraud and Corruption Unit
Bank of Lisbon Building
Cnr. Sauer and Market Street
2nd Floor
(011) 355-4229 (tel)
(011) 355-4327 (fax)

Where a concern relates to a very sensitive issue or high profile such that it cannot be reported telephonically or by fax for security reasons, employees can call the AFCU and the necessary arrangement will be done.

Step three: If the above steps have been followed but the employee still have a concern or if an employee thinks that the concern is so serious that he/she cannot discuss it with any of the above, he/she must contact the Head of Department

Should an employee exhaust these internal mechanisms or where an employee has substantial reason to believe that there would be a cover-up or that evidence will be destroyed or that the matter might not be handled properly, he/she may raise the matter in good faith with a Member of the Executive Council (MEC) for Local Government and Housing in Gauteng.

3. WHAT SHOULD A COMMUNITY MEMBER, STAKEHOLDER OR SERVICE PROVIDER DO IF THEY SUSPECT FRAUD AND CORRUPTION?

- The Department encourages communities and stakeholders or service provider who suspect fraud and corruption to contact the National Anti-Fraud Hotline that is administered by the Public Service Commission on 0800 701 701. The National Anti Corruption Hotline is available 24 hours in all official language, you have an option to remain anonymous or identify yourself when reporting.
- Community members, stakeholders, and service providers can also report the allegations of fraud and corruption directly to the Anti Fraud and Corruption Unit, 2nd floor Bank of Lisbon Building, Corner Sauer and Market Street.

4. HOW WILL ALLEGATIONS OF FRAUD AND CORRUPTION BE DEALT WITH BY THE DEPARTMENT?

- The action taken by the Department will depend on the nature of the complaint (allegation of fraud and corruption).
- The complain raised will be screened and evaluated and may subsequently:
- Be investigated internally; or
- Be referred to another law enforcement agency like South African Police Service (SAPS)
- The Anti Fraud and Corruption Unit will, upon receiving a report on allegations of fraud and corruption, respond in writing to the person who submitted the report:
- Acknowledging that the concern has been received;
- Indicating how the matter will be dealt with and by whom.
- Giving an estimate of how long it will take to provide a final response;
- Any fraud and corruption committed by an employee or any other person will be pursued by thorough investigation and to the full extent of the law, including (where appropriate) consideration of:

- a) In case of employees, taking disciplinary action within a reasonable period of time after the incident;
- b) Instituting civil action to recover losses;
- c) Initiating criminal prosecution by reporting the matter to the SAPS or any other relevant law enforcement agency; and
- d) Any other appropriate and legal remedy available.

- The Department will ensure that losses or damages suffered by the Department as a result of all reported acts committed or omitted by an employee or any other person are recovered from such an employee or other person if he or she is found to be liable for such losses.
- The Department accepts that the people, including employees who reported the alleged fraud need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about outcomes of any investigation will be disseminated on a "need to know" basis.

5. COMMON ACTS OF UNETHICAL BEHAVIOUR; FRAUD AND CORRUPTION:

- **Abuse of privileged information/insider trading:** Use of privileged information and knowledge that an employee has as a result of his/her employment with the Department to provide unfair advantage to another person or entity to obtain a benefit or