

THEEWATERSKLOOF MUNICIPALITY



Theewaterskloof
Municipality

**POLICY FOR THE REWARDING OF INFORMATION ON
CORRUPTION, FRAUD, VANDALISATION AND THEFT OF
MUNICIPAL INFRASTRUCTURE**

Approved by Council

27 March 2024

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1. INTRODUCTION

The Theewaterskloof Municipality would like to encourage all its employees, residents, members of the public and service providers who have reasons to believe that acts of fraud and corruption are being committed to report such allegations to its Management, Municipal Manager and/or Internal Audit Department.

Any person who reports suspected fraud and/or corruption and/or theft and/or any other criminal activity may remain anonymous should he/she so desire. Despite allegations reported anonymously being difficult to investigate, it will be followed up at the discretion of the Chief Audit Executive in consultation with the Municipal Manager. This discretion will be applied by taking into account the following:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation.

No person will suffer any penalty of retribution for good faith reporting of any suspected or actual incident of fraud, corruption, theft, vandalism and/or any other criminal activity, which occurred within the Municipal Area. This may include:

1.1 HARASSMENT OR VICTIMISATION

The Municipality understands the risks involved with reporting an irregularity, which may very well include the fear of retaliation by the person alleged to commit the irregularity. Any member of the public raising *bona fide* concerns and is harassed or victimised as a result thereof, will be protected by the municipality through appropriate action.

1.2 CONFIDENTIALITY

The Municipality within its means will try its utmost best to ensure that the identity of members of the public, who choose to report allegations anonymously, is protected. The municipality must however point that the nature of investigations sometimes require the revelation of information sources and that anonymous person then would have to sign an affidavit as part of the evidence.

2. CRITERIA

The awarding of the rewards will be done in accordance with certain prescriptions in the interest of transparency, accountability and good governance and is set out as follows:

- (a) Rewards may only be made if there is an existing budgetary provision and the necessary funds are available.
- (b) There is no right to a reward.
- (c) A reward will not be made to someone who assisted in the commission of the crime in question.
- (d) No reward will be made to a person who purchases stolen Municipal property and offers to return it to the municipality.
- (e) No reward will be made to any member of the municipality's staff or their family members.
- (f) The reward will only be paid out when proof is received that the information/evidence directly resulted in a conviction of the crime (refer to 3.1 below) or payment of a smaller reward when providing information that will counter corruption, fraud, theft and vandalism (refer to 3.2 below).

3. REWARD VALUE

3.1 CRIMINAL PROSECUTION

The amount to be awarded in respect of a successful criminal prosecution is to be determined according to the –

- a) Severity of the crime;
- b) Harm/impact occasioned to the municipality and/or public interest;
- c) Prevalence of such a crime within the municipal area;
- d) Need to stimulate prosecutions of this nature so as to act deterrent; and
- e) Need to protect the municipality, councillors and officials.

3.2 PROVISION OF INFORMATION

The amount will be determined in accordance with the following:

- a) Actual value of the savings realised, money or assets recovered, or the extent of the financial savings in future due to the rectification of the irregularity and implementation of preventative controls.
- b) Any award must be commensurate with the extent of the aforesaid financial values.

The final determination of the amount of the award in both abovementioned cases is however in sole discretion of the Municipal Manager in consultation with the Executive Mayor and will not exceed R 5 000.00 (VAT included) per case. The decision of the Municipal Manager is final.

4. PAYMENT AUTHORISATION

The Municipal Manager in consultation with the Chief Audit Executive will be responsible to:

- a) Authorise the payment of a reward not exceeding R 5 000.00 (VAT included) to any person who provides information leading to the successful criminal prosecution of any person or the dismissal of an employee who has committed any criminal act in or against the municipality as defined in the Local Government: Municipal Systems Act or any relevant law in the Republic of South Africa.
- b) Authorise the payment of a reward not exceeding R 5 000.00 (VAT included) to any person who provides information to Council achieving substantial savings, recovering monies due to it and/or the implementation of measures which substantially improve the manner in which it conducts its operations.

5. PAYMENT METHOD

The reward will be awarded to the informant through a payment method agreed to by the Municipal Manager and the informant after the successful prosecution in the presence of the Chief Audit Executive, against a signature.

6. REPORTING MECHANISM

- a) Rewards awarded will be submitted for audit purposes to the Auditor General during their annual visit.
- b) The Office of the Municipal Manager shall on a quarterly basis submit a report (no names) on rewards awarded to the Performance and Audit Committee at the first meeting after a payment has been made.

7. SHORT TITLE AND COMMENCEMENT

This Policy shall henceforth be known as the Theewaterskloof Municipality: Policy for Rewarding of Information on Corruption, Fraud, Vandalisation and Theft of Municipal Infrastructure and takes effect on the date Council resolves to adopt it.