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## WHISTLEBLOWER POLICY

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### 1.0 PURPOSE

The Water Authority of Fiji (**WAF**) is committed to achieving its strategic goal through good governance practice.

The Whistleblower Policy (**Policy**) provides the guidelines by which WAF personnel and/ external parties can confidentially report breaches of policies, fraud or behaviors that are inconsistent with WAF's overarching practice of good corporate governance.

### 2.0 BACKGROUND

This Policy shall apply to or may be relied on by WAF personnel, Contractors, Management and the Board of Directors (**Board**). The Policy may also apply to external parties for reporting of any staff misconduct, corruption or abuse of WAF assets.

### 3.0 POLICY STATEMENT

#### 3.1 General

- 3.1.1 It is the responsibility of all WAF personnel to confidentially report any fraud, auditing and accounting irregularities, corrupt conduct, mal-administration or serious and substantial waste of WAF resources, dishonesty or embezzlement, inappropriate or unethical behavior, conduct of staff or management of WAF with clients, inappropriate disclosure of WAF's confidential information including (intellectual property), engaging in activities that comprise or are potentially in conflict with the interests of WAF, exchange of gifts or anything of value that would compromise with the objectivity of the WAF personnel's responsibilities and use of inside information by WAF personnel for personnel benefit \ gain.
- 3.1.2 Deliberate failure by an employee to disclose any of the instances or actions referred in 3.1.1 is a party to the offence and it is a breach under this Policy and may result in disciplinary action.
- 3.1.3 In relation to 3.1.1, to the extent possible within the limitations of law and the Policy and the need to conduct a competent investigation, WAF will keep the identity of those disclosing information confidential and not release any information that might identify the person disclosing information.
- 3.1.4 Any WAF personnel making a disclosure under this Policy will not be victimized in any way. Staff can raise their concerns in writing via email **whistle.blower@waf.com.fj** or orally to the Chief Executive Officer (**CEO**)/ **Chair Audit** with substantial evidence.

- 3.1.5 No retaliation – any WAF personnel who retaliates against someone who has reported a complaint in good faith will be disciplined in accordance with the staff disciplinary procedures.
- 3.1.6 Any direct or indirect use of authority to obstruct an individual's right to make a genuine disclosure is prohibited under this Policy. Anyone in breach of this clause will be subject to disciplinary action.
- 3.1.7 Disclosures made by individuals under this policy must be based on first hand factual information or knowledge based on reasonable grounds. Individuals who want to be anonymous should provide sufficient facts / evidence to enable management to look into the matter without their assistance.
- 3.1.8 We do not encourage disclosures based on rumors. Any malicious, knowingly false or unsubstantiated allegations will be viewed seriously and will result in disciplinary action.
- 3.1.9 The purpose of whistleblowing is primarily to protect the interest and the integrity of WAF and its stakeholders. Personal complaints or grievances should be reported and addressed through the normal grievance procedure in accordance with the Staff Code of Conduct.
- 3.1.10 A whistleblower that provides information or documents to WAF which contributes significantly to the success of the investigation and prosecution by WAF will be provided with a special commendation that will be decided by the **CEO / Chair Audit** and the Board.

### **3.2 Disclosure Process**

- 3.2.1 Confidential disclosures under this policy should be made to the **CEO / Chair Audit**.
- 3.2.2 In relation to 3.2.1, a notice may be provided anonymously in writing, by telephone or in person. WAF personnel have the liberty to have his/her identity known to the authorities.
- 3.2.3 CEO / Chair Audit will then initiate a proper investigation.
- 3.2.4 All matters raised under this policy will be properly assessed and fully investigated (where necessary) and those involved will be formally advised of the outcome. The matters will be handled according to principles of natural justice. However, all matters raised will have to be supported with substantial evidence for an investigation to proceed.

- 3.2.5 The appropriate management authority will discuss with the whistleblower (if the identity is known) the way in which the matter will be handled.
- 3.2.6 All staff grievance related matters should be reported to Human Resource Unit using grievance procedure provided in Human Resource Policy. Grievances reported through Whistle Blower Policy will be referred to Human Resources to be resolved through grievance mechanism.

### 3.3 Record Keeping

- 3.3.1 All disclosures made under this Policy shall be recorded in a register maintained by the CEO / Chair Audit. The details recorded in the register shall include:
- (a) Date complaint received
  - (b) Name of person raising the concern (if the person's identity is known)
  - (c) Nature of the complaint
  - (d) Name of person reported to
  - (e) Action taken to resolve the matter
  - (f) Date matter closed
- 3.3.2 WAF will take all necessary steps to ensure confidentiality of the information received from whistleblower and from the investigation carried out on the disclosure. However, a situation may arise where it will not be possible to resolve the matter without revealing the whistleblower's identity e.g. where the whistleblower may be required to give evidence in court.

### 3.4 Timeline for Completion of Investigation

Investigations into all fraud and corruption complaints received through this Policy shall be completed within a reasonable period, bearing in mind the circumstances and frequency of the alleged malpractice.

## 4.0 SANCTIONS

A breach under this Policy by WAF Personnel may result in disciplinary action as stipulated under the WAF staff disciplinary procedures.

## 5.0 EFFECTIVE DATE

This Policy becomes effective from 12/05/21 as approved by the Board.

## 6.0 CHANGE/REVISION LOG

| <u>Version</u> | <u>Date of Approval</u> | <u>Comments</u>                                      |
|----------------|-------------------------|--|
| 1              | 10/06/2020              | Submitted to CEO                                     |
| 1              | 19/11/2020              | Submitted to Audit & Risk Sub Committee \ Legal Unit |
| 1              | 18/03/2021              | Received from Legal Unit                             |
| 1              | 20/04/2021              | Submitted to Audit & Risk Sub Committee              |
| 1              | 12/05/2021              | Approved by Board                                    |

## 7.0 APPENDIX: ADDITIONAL NOTES TO THE WHISTLEBLOWER POLICY

7.1. Whistle Blowing - Is a process established to encourage and enable employees and others to raise serious concerns within an organization prior to seeking resolution externally.

7.2. Unethical Behavior includes but not limited to:

- (a) Fraud, theft or misappropriation.
- (b) Use of inside information by an employee for private gain.
- (c) Giving or receiving of bribes, gifts, benefits or anything of value which would impair objectivity in the performance of an employee's responsibilities.
- (d) Inappropriate disclosure of WAFs confidential information (including intellectual property).
- (e) Engaging in activities that compromise or are potentially in conflict with the interests of the Authority.
- (f) Breach of WAF policies.
- (g) Any illegal act.

7.3. Genuine Disclosure -A genuine disclosure under this policy refers to any good faith communication that discloses information that may evidence improper activity.

- 7.4. The qualifying criterion for awarding of rewards to whistleblowers is as follows:
- i. The information or document provided by the whistleblower is sufficient and relevant (contains information such as names, date/time, activity, place, amount, quantity etc.) to commence an investigation.
  - ii. The amount recovered or saving made can be easily quantified in financial terms.
  - iii. The whistleblower willingly confirms his/her identity which is verifiable and files claim for reward.
  - iv. Non-monetary rewards may include WAF promotional products or gift vouchers.