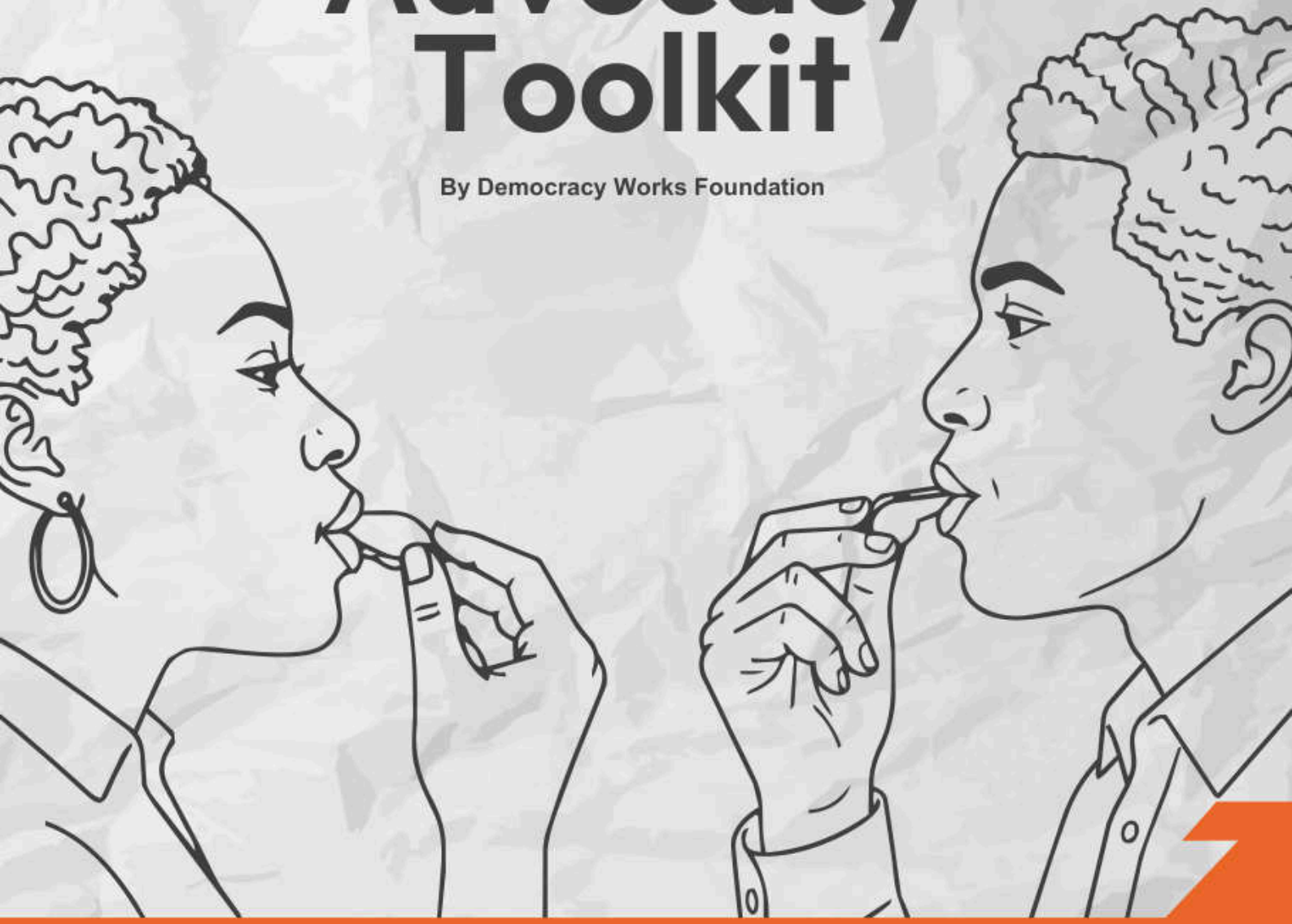
Protecting And Promoting Whistleblowing In South Africa

Whistleblower Advocacy Toolkit

By Democracy Works Foundation



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Whistleblower Advocacy Toolkit

Purpose of the Toolkit

This toolkit provides practical guidance for individuals considering or making protected disclosures in South Africa. It translates research findings into actionable steps aligned with legislation, institutional processes, and international best practice.

How to use the Toolkit

This toolkit is designed to be practical rather than prescriptive. Not all steps will apply to every situation. Whistleblowers are encouraged to read Sections 2 and 3 before making any disclosure and to seek advice where possible. Safety, confidentiality, and wellbeing should be prioritised at all stages.

1. Understanding Whistleblowing

1.1 What is Whistleblowing?

Whistleblowing differs from personal grievances in that disclosures are made in the public interest, even where the whistleblower may also be personally affected. It involves the disclosure of wrongdoing, misconduct, or abuse of power in the public interest, including:

- corruption and fraud
- irregular procurement
- misuse of public resources
- maladministration
- threats to public safety
- unethical governance

1.2 Who Is Protected?

Protection primarily arises under the Protected Disclosures Act (PDA), read together with the Labour Relations Act and relevant anti-corruption legislation.

Under the PDA, protections apply to:

- employees
- workers (including temporary staff)
- contractors (partially covered and still contested)

1.3. Who is not protected under current law?

- community whistleblowers
- civil society actors
- non-employees

Important Clarification

Unlike some international whistleblower frameworks, South African law does not currently provide comprehensive protection to members of the public who are not in employment or work-related relationships (Corruption Watch, 2023). Community whistleblowers, therefore, face heightened risk and should seek advice before making a disclosure.

2. Before Making a Disclosure

2.1 Assessing Risk

Evaluate:

- safety of internal channels
- whether implicated individuals hold power
- potential confidentiality breaches
- personal/family security - consider whether confidentiality protections are credible and enforceable in practice.
- emotional readiness (Miceli et al., 2008).
- likelihood of internal retaliation
- Workplace technology for digital surveillance: employer-issued devices and electronic monitoring risks or email monitoring
- financial dependency on employer
- immigration or visa status (if applicable)

2.2 Exercise Digital Caution

Where possible, avoid using employer-issued devices, email accounts, or internal communication platforms to report wrongdoing or seek advice. Such systems may be lawfully monitored or vulnerable to security breaches. Consider using secure personal devices, encrypted communication platforms, and independent internet connections when seeking advice or making disclosures.

Risk assessment is not a one-off exercise and should be undertaken frequently, particularly as circumstances change.

2.3 Documenting Evidence

Keep:

- dates, correspondence, directives
- record or document all communications and chronological timelines
- secure copies of key documents
- encrypted backups

What Not to Do

- Do not remove original documents unlawfully
- Do not alter records
- Do not breach client or patient confidentiality unnecessarily, seek advice about confidentiality if there is uncertainty

2.4 Seeking Advice

Consult:

- legal practitioners
- civil society (Whistleblower House, Corruption Watch)
- investigative journalists (amaBhungane)
- trade unions
- mental health professionals

Early advice can help determine the safest reporting channel, assess whether information qualifies as a protected disclosure, and prevent procedural errors that may weaken legal protection

In addition to external advice, reviewing your institution's internal framework is a critical preparatory step.

2.5 Review Institutional Policy and Reporting Framework

Determine whether your institution has a whistleblowing or protected disclosure policy. Carefully review your rights, reporting options, confidentiality provisions, and the procedures that will follow a disclosure. Also consult related materials which may clarify reporting lines, protection mechanisms, and investigation processes, such as:

- internal presentations,
- codes of conduct,
- awareness notices, or
- staff training resources.

2.6 Access Controls During Investigations

Review whether the institution's policy limits access to investigation records to authorised individuals only.

Strong access controls should be in place both during and after an investigation to reduce the risk of confidentiality breaches and retaliation.

3. Reporting Channels

3.1 Internal

- line manager
- integrity office
- internal audit
- HR
- Ethics/tip-off hotlines

Internal reporting may be inappropriate where senior management is implicated or where previous disclosures have been ignored or retaliated against.

3.2 External Institutions

The following state institutions may receive or act on disclosures, depending on the nature of the wrongdoing reported. While these bodies play critical roles in investigation and accountability, their mandates differ significantly. Some investigate maladministration, others prosecute crimes, and most do not automatically provide personal protection to whistleblowers. Understanding these distinctions is critical before choosing a reporting pathway.

Institution	Primary Role	Role in relation to whistleblowers	Key limits and risks
Public Protector South Africa (PPSA)	Investigates maladministration, abuse of power, and improper conduct in state affairs	Receives disclosures under the PDA and may investigate systemic wrongdoing	Potentially long timelines; limited capacity; does not provide physical or economic protection
South African Human Rights Commission (SAHRC)	Protects, monitors and promotes human rights	May receive disclosures involving rights violations and provide advocacy or referrals	Remedial powers contested; limited enforcement authority, resource constraints
Auditor-General of South Africa (AGSA)	Financial oversight and audit of public institutions	May act on information disclosed during audits or submitted externally	Does not offer individual whistleblower protection

Institution	Primary Role	Role in relation to whistleblowers	Key limits and risks
Special Investigating Unit (SIU)	Investigates serious maladministration, corruption, and unlawful conduct in state institutions pursuant to a Presidential Proclamation issued under the SIU Act	Only authorised investigations into institutions, programmes, or categories of conduct rather than isolated incidents.	Cannot act without a proclamation; does not protect whistleblowers; no direct prosecutorial power
National Prosecuting Authority (NPA)	Prosecutes criminal offences on behalf of the state	May rely on whistleblower evidence in criminal prosecutions, including corruption cases	Focused on prosecution, not protection; whistleblowers may be treated as witnesses rather than protected persons
South African Police Service (SAPS)	Investigates criminal offences	Receives reports under PRECCA, including mandatory reports by persons in positions of authority	Reporting does not trigger whistleblower protection; criminal justice processes may increase exposure

Important Note

Institutions such as the SIU, NPA, and SAPS play essential roles in investigating and prosecuting corruption. Engagement with these bodies does not in itself confer protection against retaliation. Whistleblowers should seek advice before approaching law enforcement or prosecutorial authorities, particularly where their safety, employment, or confidentiality may be at risk.

3.3 Media and Civil Society

Disclosures to the media or civil society carry higher legal and personal risk in terms of the PDA and should generally be made only after advice is obtained.

Only protected if the whistleblower:

- reasonably believes allegations to be true
- tried or was unable to use other channels
- acts in public interest

3.4 Confidentiality and Identity Protection

If you make an anonymous disclosure, institutions should not reveal your identity without your informed consent, unless legally required.

As good practice, investigators should first seek your consent before disclosing your identity for investigation purposes.

If confidentiality is critical to your safety, clarify in writing that your identity may not be disclosed without your express permission.

4. Managing Retaliation

Retaliation often escalates gradually rather than immediately and may be subtle, making early documentation critical.

4.1 Retaliation may include:

- **Immediate responses**
  - □ intimidation
  - □ harassment
- **Medium-term responses**
  - □ suspension or dismissal
  - □ demotion
- **Long-term impacts**
  - □ Blacklisting

4.2 Whistleblowers should:

- record every incident
- obtain legal and psycho-social help
- file grievances when safe
- request oversight interventions

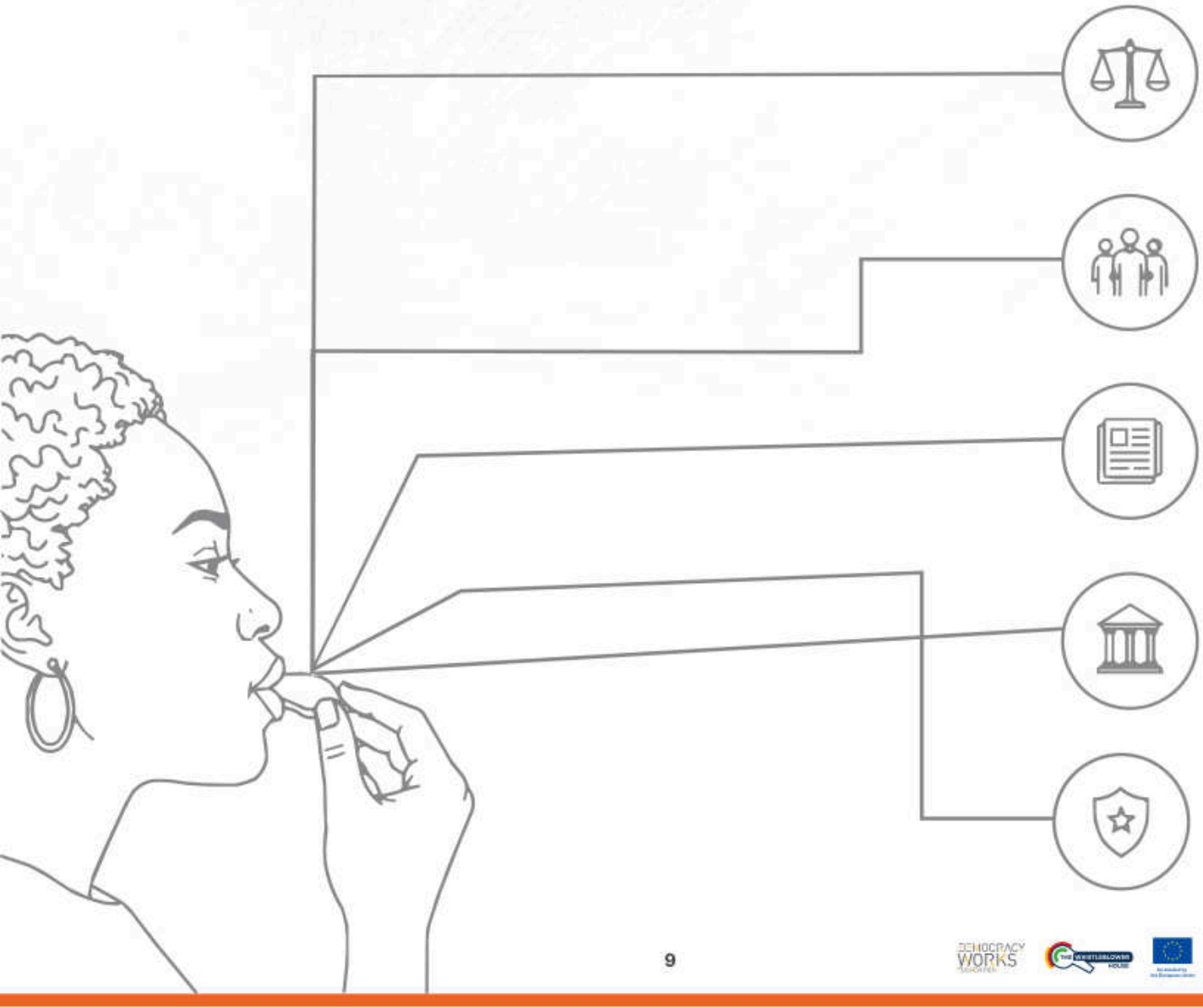
4.3 Reporting Retaliation

If you experience retaliation, report it promptly to the designated official identified in the institution's policy (for example, HR, ethics office, or an independent officer).

Maintain detailed records of each incident and your report, including:

- who was involved
- what occurred
- when and where it happened
- how it affected you

Factual, contemporaneous records strengthen both internal grievances and legal remedies.



5. Support Resources

5.1 Civil Society

A comprehensive list of helpful stakeholders is listed below:

Organisation Website and Location	Description	Contact Person
Afrobarometer https://www.afrobarometer.org/ Western Cape, Cape Town	Research Conducts public opinion surveys to inform policymakers on governance and democracy.	Shannon Van-Wyk Khosa
amaBhungane Centre for Investigative Journalism https://amabhungane.org/ Gauteng, Joburg	Investigative Journalism and Research Investigates corruption and abuses of power through in-depth journalism.	Tip Off Contact: https://amabhungane.org/contact/#
Anti-Corruption Task Team (ACTT) https://www.gov.za/Anti-CorruptionTaskTeam Gauteng, Pretoria (national)	National Government Multi- Agency Coordinates corruption investigations and prosecutions among agencies.	ACTT Hotline: 0800 43 43 73 SIU Whistleblowing Hotline: 0800 037 774 Email: siu@whistleblowing.co.za
Anti-Corruption Trust of Southern Africa (ACT-SA) https://uncaccoalition.org/anti-corruption-trust-of-southern-africa-act-sa/ Zimbabwe	NGO – Anti Corruption Campaigns against corruption, empowers communities to report and takes legal action.	Obert Chinhamo Email: actsouthernafrica@gmail.com T: +263(0)552525235
Business Leadership SA (BLSA) https://blsa.org.za/ Johannesburg	National Advisory Body Represents business interests and promotes ethical leadership in South Africa.	T: +27 (11) 356-4650
Business Unity South Africa (BUSA) https://www.busa.org.za/ Gauteng, Johannesburg	National Advisory Body Advocates for business sector engagement in economic and policy matters.	Email: busa@busa.org.za T: 011 784 8000

Organisation Website and Location	Description	Contact Person
Campaign on Digital Ethics https://www.code-sa.org/ Gauteng, Johannesburg	Digital Rights and Ethics Advocates for ethical digital practices and digital rights protection.	Kavisha Pillay Email: kavisha@code-sa.org
Centre for Applied Legal Studies (CALS) https://www.wits.ac.za/cals/ Gauteng, Johannesburg	Law – non-profit Conducts legal research and advocacy to strengthen human rights and governance.	+27 11 717 8600 Email: info@cals.wits.ac.za
CIVICUS https://www.civicus.org/ Gauteng, Johannesburg	Democracy and Governance – non-profit - global Supports civil society participation and democratic governance globally.	T: 0271 8335959
Corruption Watch https://www.corruptionwatch.org.za/ Gauteng, Johannesburg	Transparency & Accountability – non-profit - national Monitors and exposes corruption in public and private sectors to promote transparency.	Zanele Fengu Email: zanele.fengu@corruptionwatch.org.za WhatsApp: **082 579 5220** T: 011 242 3900 Hotline: 0800 023456 Online reporting:https://www.corruptionwatch.org.za/report-corruption/
Daily Maverick https://www.dailymaverick.co.za/ Gauteng, Johannesburg	Journalism & media: National Independent news outlet focusing on investigative journalism and public interest stories.	Online tip offs: https://www.dailymaverick.co.za/tipoffs/?utm_source=contact-us
Department of Justice and Constitutional Development https://www.justice.gov.za/ Gauteng, Pretoria	Government – National Oversees the administration of justice and constitutional affairs.	National Toll-Free Hotline: T: 0800 701 701

Organisation Website and Location	Description	Contact Person
Enhancing Accountability Technical Assistance Facility (TAF) https://www.taf-application.co.za/about-us	Public governance - national Supports civil society and state roles in strengthening accountability.	T: +27695175349 Email: info@enhancingaccountability.org.za
Freedom Under Law https://www.freedomunderlaw.org.za Western Cape	Law – not for profit - national Protects rights constitutional democracy and the rule of law through advocacy and public interest litigation.	
Gauteng Ethics and Integrity Unit https://www.thehotline.co.za/ Gauteng	Provincial Government Promotes ethical conduct and integrity within the Gauteng provincial government.	T: 011 403 1114 Toll free number from a landline: 080 1111 633 SMS Call-back: 072 595 9139 E-mail address: gpethics@thehotline.co.za Fax-2-Email: 086 726 1681 Web App: www.thehotlineapp.co.za
Human Sciences Research Council https://hsrc.ac.za/ Gauteng, Pretoria	Independent Research - National Conducts social science research to inform policy and governance.	Dr Paul Plantinga Email: paul.plantinga@hsrc.ac.za
Independent Police Investigative Complaints Directorate (IPID) Gauteng, Pretoria	Government – Independent Investigative – National & Provincial	Email: complaints@ipid.gov.za
Institute of Internal Auditors South Africa (IIA SA) https://www.iiasa.org.za/ Gauteng, Johannesburg	Professional Association - National Provides internal auditing standards and professional development.	T: 27 11 450 1040

Organisation Website and Location	Description	Contact Person
Institute of Risk Management South Africa (IRM SA) https://www.irmsa.org.za/ Gauteng, Johannesburg	Advisory Body Risk Professionals- National Promotes risk management best practices in organizations.	T: +27(0)11 555 1800 Email: complaints@ irmsa.org.za
Legal Resources Centre (LRC) https://lrc.org.za/ Gauteng, Johannesburg	Law – Non-profit - national Provides legal support and advocacy for public interest issues and human rights.	T: +27 11 038 9709 Email: info@lrc.org.za
Media Monitoring Africa https://www.mediamon-itoringafrica.org/ Gauteng, Johannesburg	National - Promotes media freedom, ethical journalism, and monitors media practices.	T: 011 788 1278 http://info@mma.org.za/
Municipal Ombuds Offices Link on website of each Metro e.g. https://joburgombudsman.org.za/ Gauteng, Johannesburg	Municipal level-government -local Investigate complaints against municipal administrations and promote accountability.	Johannesburg: WhatsApp - 081 365 0225 Email: complaints@joburg ombudsman.org.za
My Vote Counts https://myvotecounts.org.za/ Western Cape, Cape Town	Transparency & Accountability -Non-profit - Promotes electoral transparency and voter education to ensure accountable governance.	Robyn Pasensie Email: info@ myvotecounts.org.za
National Anti-Corruption Advisory Council https://anticorruption. gov.za/contactus Union Buildings Pretoria, Gauteng	Government-Advisory-National Coordinates anti-corruption efforts and policy advice at the national level.	T: 012 300 5200 Email: nacac@ presidency.gov.za

Organisation Website and Location	Description	Contact Person
National Business Initiative (NBI) https://www.nbi.org.za/ Gauteng, Johannesburg	Business and Corporate Governance - national Promotes business integrity and corporate accountability.	T: 27 (11) 544 6000 Email: info@nbi.org.za
National Portfolio Committees https://www.parliament.gov.za/committee-details/275 Western Cape, Cape Town	Government - National Parliament Committees in Parliament responsible for oversight of government departments.	Lindiwe Ntsabo Committee Secretary T: 021 403 8230 M: 083 709 8524 Email: lntsabo@parliament.gov.za
National Prosecuting Authority Website and Chat Link: www.behonest.co.za Gauteng, Pretoria	Government – national and provincial Prosecutes criminal cases on behalf of the state	Toll free Contact number: 0800 212 580 Email: ndpp@npa.gov.za; id-leads@npa.gov.za npa@behonest.co.za
Nelson Mandela University – Centre for Philosophy in Africa (ethical governance) https://cfpa.mandela.ac.za/ Eastern Cape, Port Elizabeth	University – academic - Provincial Explores ethical and philosophical issues related to governance in Africa.	
Office of the Auditor General (South Africa) https://www.agsa.co.za/ Gauteng, Pretoria	Independent Organ of State – National Audits government departments to promote accountability and financial management.	
Open Democracy Advice Center (ODAC) https://opendemocracy.org.za/ Western Cape, Cape Town	Non-profit Advocacy and awareness on the PDA, POPIA and PAIA; legal advice, support and case referral	Toll-free Helpline 0800-52 53 52 Mobile Helpline 060-643-4355 Email:helpline@odac.org.za

Organisation Website and Location	Description	Contact Person
Open Secrets https://www.opensecrets.org.za/ Western Cape, Cape town	Transparency & Accountability- Non-profit Investigates and uncovers corruption and illicit financial flows to enhance public awareness.	T: (+27) 21 447 2701 (office) (+27) 72 565 0173 Email: researcher@opensecrets.org.za
Organisation Undoing Tax Abuse (OUTA) https://www.outa.co.za/ Johannesburg, Gauteng	Transparency & Accountability & Anti-Corruption – National Campaigns against tax abuse and promotes responsible use of public resources.	T: 0871700639 Online corruption reporting: https://outa.whispli.com/inbox/register?chanel=a0e91702-4b87-11ec-967e-9ae0f4795a24&page=85f85eb0-8e3c-11ec-9092-d671547026d2&locale=en#refresh
Oxfam South Africa https://www.oxfam.org.za/ Johannesburg, Gauteng	Social Justice – Non-profit – national Advocates for justice, transparency, and accountability in governance and financial institutions.	Email: info@oxfam.org.za
Presidency (RSA) https://www.thepresidency.gov.za/ Gauteng, Pretoria	Government – National Head of State Executive arm of government responsible for strategic leadership and governance.	Toll Free: 17737 E-Fax: 086 681 0987 Email: president@presidency.gov.za
Private Sector Ethics Compliance Leads	Private body Coordinates ethics and compliance programs within private sector entities.	
Public Protector SA https://www.pprotect.org/ Gauteng, Pretoria; and Provincial Offices	Chapter 9-organ of state-national and provincial Independent institution that investigates complaints against government agencies.	T: +27 (0) 12 366 7000 Toll-free: 0800112040 Email: registration2@pprotect.org

Organisation Website and Location	Description	Contact Person
Public Service Accountability Monitor https://psam.org.za/ Eastern Cape	University – non-profit - research Monitors and reports on public service delivery and governance performance.	Zukiswa Kota: Email: z.kota@ru.ac.za
Right2Know https://theright2know.org/ Western Cape, Cape Town	Transparency & Accountability-National-non-profit Advocates for freedom of information and access to government-held data.	Ngazini Ngdigi. Email: ngaziningidi@gmail.com T: +27 73 555 6455
Save the Children South Africa https://www.savethechildren.org.za/ Gauteng, Pretoria	Non-profit – national Commits to transparency and accountability to communities and donors.	T: +27(0)12 430 7775 Email: info@savethechildren.org.za
Section27 https://section27.org.za/ Gauteng, Johannesburg	Social Justice-non-profit, national Protects and promotes constitutional rights through legal and policy advocacy.	T: +27 (0) 11 356 4100 Email: info@section27.org.za
Social and Ethics Committees (corporate)	Board committees monitoring corporate social responsibility and ethics compliance.	
South African Human Rights Commission www.sahrc.org.za Gauteng, Johannesburg and provincial offices	Chapter 9 – independent organ of state national Protects and promotes human rights in South Africa.	https://www.sahrc.org.za/index.php/lodge-complaints T: 011 877 3600
South African Institute of Chartered Accountants (SAICA) https://www.saica.org.za/ Gauteng, Johannesburg	National Professional Association Regulates and supports chartered accountants in ethical financial practices.	T: 08610 SAICA (72422) or 011 621 6600

Organisation Website and Location	Description	Contact Person
South African Institute of Professional Accountants (SAIPA) https://www.saipa.co.za/	National Profession Association Supports professional accountants with training and ethical standards.	
South African Police Service www.saps.gov.za Gauteng, Pretoria	Government- National and local police service – priority crime (HAWKS) responsible for law enforcement and public safety.	DPCI ANTI-CORRUPTION DESK Email: Corruption.ReportsHO@saps.gov.za T: 012 846 4222 T: 071 481 3414
Special Investigative Unit (SIU) https://www.siu.org.za/ Gauteng, Pretoria	Government- national – law enforcement Investigates corruption, maladministration, and fraud in government.	Email click: whistleblowing (TheHotLine) to send an email. Hotline: 0800 037 774
Stellenbosch University School of Public Leadership https://www.su.ac.za/en/faculties/economy/departments/public-leadership Western Cape, Stellenbosch	University – Academic Develops leadership skills for public service and governance.	
The Ethics Institute https://www.tei.org.za/ Gauteng, Pretoria	Independent national – advisory body Provides advisory services and research on ethics and corporate governance.	T: +27 12 342 2799
The Institute of Directors South Africa (IoDSA) https://www.iodsa.co.za/ Johannesburg	Professional Association- national independent body Promotes corporate governance and director development in South Africa.	

Organisation Website and Location	Description	Contact Person
UCT Democratic Governance and Rights Unit https://law.uct.ac.za/dgru/research-and-advocacy Western Cape – Cape Town	University – academic Engages in research and advocacy on democratic governance and human rights.	
University of Johannesburg Department of Politics and Governance https://www.uj.ac.za/faculties/humanities/departments-2/politics-and-international-relations/ Johannesburg, Gauteng	University – academic Provides political science education and research on governance issues.	
University of Pretoria Centre for Human Rights https://www.chr.up.ac.za/ Pretoria, Gauteng	University – academic – non-profit Researches and promotes human rights and social justice.	T: +27 (0) 12 420 3810 / +27 (0) 12 420 3034 Email: chr@up.ac.za
Western Cape Forensics Investigation Unit https://www.westerncape.gov.za/report-fraud-theft-and-corruption Western Cape, Cape Town	Government – provincial Conducts forensic investigations in the Western Cape province.	T: 021 483 0931 Email: tip.offs@westerncape.gov.za Fax-2-Email: 086 726 1681 Telephone Web App: www.thehotlineapp.co.za
Wits School of Governance https://www.wsg.ac.za/ Johannesburg, Gauteng	University – Academic Offers education and research on governance, public policy, and leadership.	Prof. Themba Maseko Email: themba.maseko@wits.ac.za

Key Public Body	Contact Information and Hotlines
General government anti-corruption mechanism	• South African Anti-Corruption Hotline: 0800 43 43 73
Special Investigating Unit (SIU)	• Whistle-blower Hotline: 0800037774 Email: siu@whistleblowing.co.za
Independent Police Investigative Directorate (IPID)	• Independent Police Investigative Directorate Email: complaints@ipid.gov.za
Anti-Corruption Hotline – public service	• Hotline: 0800701 701 Email: Integrity@publicservicecorruptionhotline.org.za FreeFax: 0800204965 Website: www.publicservicecorruptionhotline.org.za
National Health System	• Ethics Line: 800 141 4414
Department of Home Affairs (Home Affairs)	• Counter Corruption Unit 012 406 4318
Department of Human Settlements	• Fraud hotline 0800 204 401
National Treasury Email: csd@ treasury.gov.za 012 406 9222	• Phishing scams Email: csd@treasury.gov.za T: 012 406 9222
South African Revenue Service (SARS)	• Fraud and anti-corruption hotline 801 2870
South African Social Services Agency (SASSA)	• Grant and fraud hotline 0800 60 1011
Public Service Commission Website: www.publicservicecor-ruptionh otline.org.za	Free Call: 0800 701 701 Email: integrity@publicservicecorruptionhotline.org.za Free Fax: 0800 204 965

National Department of Transport Road Traffic Management Corporation (RTMC) - National Anti-Corruption Unit (NTACU) of the RTMC	• 0861 400 800 (not toll free)
Government Employees Pension Fund	• Anti-corruption Hotline: 0800 43 43 73

Policy and Litigation Support	Legal and Advocacy Support	Investigative Journalism
Whistleblower House	Whistleblower House	amaBhungane
Corruption Watch	Helen Suzman Foundation	Daily Maverick
Section 27	Corruption Watch	
OUTA	Pro Bono. org	

5.2 Mental Health Support

Whistleblowers should access trauma-informed care early due to documented emotional impact. Use of Employer service providers may provide wellness services and may be considered after risk assessments on the issue of confidentiality.

Seeking psychological support is not a sign of weakness but a protective strategy against burnout, isolation, and trauma commonly experienced by whistleblowers.

6. Practical Tips

Legal

- Seek legal advice early
- Understand whether disclosure qualifies under the PDA

Digital

- Avoid employer devices
- Use encrypted storage

Strategic

- Avoid impulsive disclosure
- Share information strictly on a need-to-know basis
- Plan for potential retaliation before disclosure

The Whistleblowing Pathway

5. Choose channel for the disclosure

Individual courage must be matched by systemic protection, institutional accountability, and sustained advocacy reform. This toolkit forms part of broader efforts to strengthen whistleblower protection in South Africa and to close the gap between legal promise and lived reality.

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Disclaimer: The Protecting and Promoting Whistleblowing in South Africa project is co-funded with the financial support of the European Union. Its outputs and convenings are the sole responsibility of DWF and do not necessarily reflect the views of the European Union.

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