



REPUBLIC OF ZAMBIA

MINISTRY OF TECHNOLOGY AND SCIENCE

WHISTLEBLOWER PROTECTION POLICY

DECEMBER, 2023

Prepared by:
Ministry of Technology and Science
with support from the
Anti-Corruption Commission
LUSAKA





REPUBLIC OF ZAMBIA

MINISTRY OF TECHNOLOGY AND SCIENCE

WHISTLEBLOWER PROTECTION POLICY

DECEMBER, 2023

Prepared by:
Ministry of Technology and Science
with support from the
Anti-Corruption Commission
LUSAKA



Table of Contents

Foreword	ii
Acknowledgements	iii
Abbreviations	iv
Definitions	v
 Organization's Vision, Mission And Core Values	 vii
1.0 Introduction:	1
2.0 Purpose of the Policy:	1
3.0 Related Policies, Codes and Laws:	1
4.0 Policy Statement	2
5.0 Applicability	2
6.0 Policy Guidelines	2
6.1 Protection of the Whistle Blower:	3
6.2 Duty of employees to report:	3
6.3 What to report:	3
6.4 Reporting Method and Procedures:	4
6.5 Investigations of reported cases:	5
6.6 Bad Faith, Malicious or Frivolous reports:	5
6.7 Good Faith reports:	6
6.8 Anonymous complaints:	6
6.9 Confidentiality:	6
6.10 Further information on the Policy:	6
7.0 Implementation of the Policy	7
8.0 Sensitization of the Policy:	7
9.0 Enforcement of the Policy:	7
10.0 Collaborative Partnership:	7
11.0 Review date of the Policy:	7
Appendix 1:	8
Appendix 11:	8



Foreword



The Ministry of Technology and Science (MoTS) has developed a Whistleblower Protection Policy which is a supplement of the Public Service Code of Ethics. This Policy has been put in place to support the Ministry's employees to raise red flags and also provide a comprehensive guide to the employees on all aspects of whistle blowing including reporting suspected acts of corruption or other unlawful acts.

The Ministry is cognizant of the devastating effects of corruption on the developmental efforts being undertaken by the Government and that corruption robs citizens of their basic fundamental human rights and access to social services.

The Ministry therefore, has taken a zero tolerance stance to corruption and undertakes to ensure that corruption and its related offences are rooted out of the Ministry.

The Ministry's reputation for honesty, transparency and integrity is reflected in the way it conducts its business. In addition, the Ministry wishes to promote a culture where employees can report any wrong doing or misconduct which they suspect or believe may be occurring in the Ministry without fear of victimization. It is the responsibility of employees who suspect alleged wrongdoing or misconduct, to immediately act by reporting to the relevant authorities. By doing so, they help support the Ministry's commitment to protect public resources.

Hon. Felix C. Mutati, M.P.
MINISTER OF TECHNOLOGY AND SCIENCE



Acknowledgements



I would like to acknowledge and thank the various stakeholders who contributed to the development of the Ministerial Whistleblower Protection Policy.

In particular, I wish to convey my gratitude to the Anti- Corruption Commission for the technical assistance rendered during the development of the Policy. I also wish to thank the Ministerial Integrity Committee (MIC) and all other members of staff for their valuable input in coming up with the Policy.

I implore all members of staff to ensure that the contents of the Policy are implemented without fear of victimization and ensure that honesty, confidentiality transparency, fairness and professionalism are upheld.

Eng. Dr. Brilliant Habeenzu
Permanent Secretary
MINISTRY OF TECHNOLOGY AND SCIENCE



Abbreviations

ACC	Anti-Corruption Commission
MoTS	Ministry of Technology and Science
MIC	Ministerial Integrity Committee



Definitions

Misconduct	Failure by an employee to observe the rules in the Code of Ethics or Ministry's core values or acceptable standards of behaviour.
Corruption	Soliciting, accepting, obtaining, giving, promising or offering of a gratification by way of a bribe or other personal temptation or inducement or the misuse or abuse of a public office for private personal advantage or benefit.
Reprisal	Conduct that causes, or threatens to cause, detriment to a person directly because a person has made, or may make, a public interest disclosure.
Whistleblower	Any person or party who conveys or is proven to be in the process of conveying a concern, allegation or any piece of information indicating that fraud, corruption or any form of misconduct or impropriety has occurred or is about to occur.
Public interest disclosure	A disclosure of information made by any person or an employee, regarding any conduct of any person or an employer, or an employee of that employer that the person making the disclosure believes on reasonable grounds that a person has engaged, is engaging or proposes to engage in corruption, fraud and any other related forms of misconduct or impropriety.
Employee	Salaried staff working under the Ministry, interns, students on attachments, consultants, temporal worker and any other personnel assigned to undertake work on behalf of the Ministry.
Good faith	Intention is to be honest and not expect any benefits as a result of the action.
Bad faith	Submission of any information intended to bring the name of the person reported into disrepute.
Cognizant	Having knowledge or understanding of something.
Pursuant	In accordance with.



Organisation's Mission, Vision and Core Values

Vision

“A dynamic Ministry fostering a technologically transformed and productive Zambia.”

Mission

“To promote Science, Technology, Innovation and Skills Development for a digital and innovative economy.”

Core Values

The operations of the Ministry of Technology and Science, more specifically, the conduct and behaviour of the staff is anchored on the following seven (7) core values:-

- i. **Integrity**
We are honest and ethical in the execution of our mandate.
- ii. **Transparency**
We exhibit openness in the execution of our mandate.
- iii. **Confidentiality**
We safeguard privileged information from unintended persons.
- iv. **Accountability**
We take responsibility for all our actions.
- v. **Respect**
We appreciate each other's opinions and those of our stakeholders and promote opportunities to be heard.
- vi. **Teamwork**
We ensure a collaborative approach both internally and externally for efficient and effective service delivery.
- vii. **Excellence**
We provide exceptional services to our clients.



1.0 Introduction

The mandate of the Ministry of Technology and Science is to formulate and implement policies on Technology, Science, Communications and Skills Development as well as enforcement of standards, regulations, licensing and supervision of Technology, Science, Communications and Skills Development, as stipulated in the Government Gazette Notice No. 1123 of 2021.

In order to enhance transparency in the operations of the Ministry with regards to a corrupt free environment, the Ministry has decided to develop a Whistleblower Protection Policy.

2.0 Purpose of the Policy

The purpose of the Policy is to encourage the whistleblower to make a report in good faith of suspected fraud, corruption or other improper government activities. This is in a bid to help curb any malpractice and promote a culture of zero tolerance to corruption among all members of staff in the Ministry. The Policy also describes the process that will be followed in evaluating and investigating such reports.

3.0 Related Policies, Codes and Laws

The Whistleblower Protection Policy is related to several policies, codes and laws which include but not limited to the following: -

- 3.1 Public Interest Disclosure (Protection of Whistleblowers) Act No.4 of 2010.
- 3.2 Anti-Corruption Act No.3 of 2012.
- 3.3 ZS ISO 37001 Anti-Bribery Management System.
- 3.4 Public Service Code of Ethics.
- 3.5 The Disciplinary Code and Procedures for Handling Offences in the Public Service.
- 3.6 MoTS Service Delivery Charter.
- 3.7 MoTS Gifts and Benefits Policy.
- 3.8 MoTS Conflict of Interest Policy.



- 3.9 Terms and Conditions of Service for the Public Service.
- 3.10 Public Finance Management Act No. 1 of 2018.
- 3.11 The Public Procurement Act No. 8 of 2020.
- 3.12 Other relevant Circulars.

4.0 Policy Statement

The Ministry recognises the importance of having a Whistleblower Protection Policy in place. The Policy will ensure deliberate steps are followed in processes and procedures and also protect the employees who are whistleblowing pursuant to the Public Interest Disclosure Act No 4 of 2010 (Protection of Whistle Blowers). Further, the Policy is intended to enable the Ministry to maintain zero tolerance to corruption through the values of integrity, transparency and accountability which can help avoid unethical conduct and breaches of processes and procedures.

The Ministry recognises that breaches of processes and procedures are a risk to both employees and clients. Therefore, all employees are encouraged to report any breach as soon as it is practical to avoid any adverse effects to the Ministry. Employees who report such breaches are assured of management protection against any reprisals or victimization.

To encourage and assure all employees of their safety in an event that they report any suspected breach of the rules, the Ministry has developed this Whistleblower Protection Policy.

5.0 Applicability

This Policy shall apply to all employees or any person formally acting on behalf of the Ministry of Technology and Science.

6.0 Policy Guidelines

The following guidelines will guide the implementation of this Policy:



6.1 Protection of the Whistleblower

This Policy encourages all employees of the Ministry to report any suspected breach of the processes and regulations relating to the mandate of the Ministry. The employees are assured of protection from reprisals or any retaliation (personal or financial) arising from the report. A whistleblower or employee who makes a report under this Policy shall not suffer any detriment which may include but not limited to the following: -

- 6.1.1 Dismissal of an employee;
- 6.1.2 Demotion from one's position;
- 6.1.3 Transferred without cause;
- 6.1.4 Victimization, harassment or intimidation of an employee causing harm or injury;
- 6.1.5 Side-lined; and
- 6.1.6 Damage to an employee's reputation or property.

The Ministry undertakes to protect the whistleblower in line with this Policy and the provisions of the Public Interest Disclosure Act.

6.2 Duty of employees to report

All employees of the Ministry have a responsibility to speak out once wrongdoing or any unethical breaches are observed, failure to which would amount to abetting and aiding such breaches. All breaches must be reported as soon as practical.

6.3 What to report

The detrimental actions to be reported in accordance with this Policy include but are not limited to the following: -

- 6.3.1 Misuse of Public resources in the exercise of duty;
- 6.3.2 Providing false or misleading information in relation to matters bordering on finance; procurement and other sensitive operational or administrative areas in the Ministry;



- 6.3.3 Unauthorised payments being made;
- 6.3.4 Providing false or misleading information in relation to matters bordering on finance;
- 6.3.5 Breach or failure to follow laid down policies, processes and procedures;
- 6.3.6 Fraudulent or dishonest activities;
- 6.3.7 Theft or selling of Government property at the Ministry;
- 6.3.8 Failing to disclose a conflict of interest during the course of duty;
- 6.3.9 Using one's discretion or position to influence a decision by an employee or any other person doing business with the Ministry;
- 6.3.10 Releasing confidential or other privileged information to unauthorized persons or sources; and
- 6.3.11 Sexual harassment as outlined in the Anti-GBV Act of 2011.

6.4 Reporting Method and Procedure

Once an employee becomes aware of a detrimental action or a breach of the rules, such an employee may use the following available methods to report:

- 6.4.1 By letter: (addressed to the Integrity Committee Chairperson, Ministry of Technology and Science, P O Box 50464, Lusaka);
- 6.4.2 Email: info@mots.gov.zm, <https://www.mots.gov.zm>
- 6.4.3 Telephone: 0211-252082 or +260211-252411
- 6.4.4 Integrity Box handled by the Integrity Committee; and
- 6.4.5 In person: (Integrity Committee Secretariat)

The Whistleblower is advised to give as much information as practical relating to such detail as date, time, location, individuals involved, other witnesses or any documentary evidence where possible.

The Integrity Committee will treat all reports received with strict confidentiality and will further advise the whistleblower on the next course of action depending on the nature of the report. All reports received will be treated as allegations until verification of the allegations is done.



6.5 Investigations of reported cases

- 6.5.1 The Integrity Committee shall have the mandate to analyse and deliberate on all reported cases and also conduct investigations related to all reported cases. The Committee shall work in consultation with responsible Head of Department except where the Head of the Department is the subject of the allegations.
- 6.5.2 All investigations will be conducted in a transparent manner with strict confidentiality of the identity of the whistleblower.
- 6.5.3 The whistleblower will be informed of the course of action taken not later than five (5) working days depending on the nature of the case. Further, the whistleblower will be kept abreast of the progress made in the reported case.
- 6.5.4 The Committee will report directly to the Permanent Secretary. Cases involving the Permanent Secretary shall be handled by Cabinet Office.
- 6.5.5 The Integrity Committee shall ensure that all investigations are conducted in line with laid down procedures and in conformity with the rules of natural justice.
- 6.5.6 The Integrity Committee shall, upon thorough investigations, report any matters they may deem necessary to relevant Law Enforcement Agency or body.

6.6 Bad Faith, Malicious or Frivolous reports

- 6.6.1 Employees are encouraged not to make a disclosure or report that is malicious, frivolous, or made in bad faith.
- 6.6.2 Where an employee makes an allegation, which proves to have been made maliciously, or knowingly to be false will be liable to disciplinary action or legal action as the case may be.



6.7 Good Faith reports

- 6.7.1 Any employee who makes a disclosure or report must act in “good faith” and must have reasonable grounds for believing the information reported indicates a breach of the rules. A good faith report will have no malice.
- 6.7.2 Any case reported in good faith and without malice or ulterior motives will not attract punitive measures.

6.8 Anonymous complaints

- 6.8.1 Anonymous reports of wrongdoing shall be considered under this Policy. However, anonymous reports need to be treated delicately due to the limitations that may inhibit a proper inquiry and/or remedial action. This is due to the inability by the investigating committee to probe further where the identity of the Whistleblower may not be known.
- 6.8.2 The Integrity Committee or any other appointed authority will respect the request of the Whistleblower to remain anonymous and provide assurance of confidentiality where the identity of the Whistleblower is known.

6.9 Confidentiality

All reports of breaches or suspected breaches will be kept strictly confidential. The Offices and appointed persons tasked with handling Whistleblowers will be required to take oath of secrecy and confidentiality. The oath will be explained to them in terms of its expectations and implications.

6.10 Further Information on the Policy

For further information or clarification on the provisions of the Policy the Integrity Committee should be contacted.



7.0 Implementation of the Policy

The implementation of this Policy is vested in the Office of the Permanent Secretary to be spearheaded by the Integrity Committee (IC) Chairperson. The IC shall undertake quarterly monitoring of the Policy to ensure proper implementation and adherence.

8.0 Sensitization of the Policy

The Permanent Secretary through the IC shall be responsible for sensitizing all employees. Upon successful sensitisation, the employee shall fill in the Acknowledgement Form in Appendix I.

9.0 Enforcement of the Policy

This policy will be implemented in conjunction with other existing Policies and Codes such as the Disciplinary Code and/or any written law.

10.0 Collaborative Partnerships

The Ministry where necessary will collaborate with other relevant Partners in the implementation of this Policy. These Partners shall be engaged based on their expertise or relevance to the matter at hand.

11.0 Review of the Policy

The Policy shall be reviewed every five (5) years or whenever need arises. This Policy will remain in effect until it is reviewed.

The Policy becomes effective on the date the Permanent Secretary approves it.



APPENDIX I



MINISTRY OF TECHNOLOGY AND SCIENCE

WhistleBlower Protection Policy

I employee no#do hereby acknowledge having been taken through and receiving the Ministry of Technology and Science Whistleblower Protection Policy. I further acknowledge that I was provided with the opportunity to ask questions and hereby attest that I have understood the Policy and its contents.

I will therefore not retaliate against an employee who in good faith raises a report against me or some practice that are illegal, dishonest or a breach of the processes and procedures of the Ministry. I further undertake to report anyone or any practice which is in breach or contravention of the Ministry processes and procedures or any written law.

To be completed by: **Employee**

Name:.....

Signature:.....

Date:.....

To be completed by: **Human Resources Department**

Signed by:.....

Official Date Stamp:

APPENDIX II



MINISTRY OF TECHNOLOGY AND SCIENCE

WhistleBlower Protection Policy

To be completed when a report is received or initiated	
Method of discovery/Report	
Details of suspicion/allegation	
Committee decision on way forward	
Assigned Officer	
To be completed after investigations	
Outcome of Investigations	
Estimated loss (value) if applicable	
Corrective action	
Lessons learnt	
Permanent Secretary's Remark	

**Conflict of Interest Declaration Form/Register****3.0 Chairpersons' Decision/Guidance:**

Name:	
Signature:	
Position:	
Date:	

Note: This form will be filled in **triplicate** and distributed as follows.

1. Employee declaring.
2. Conflict of Interest Register
3. The IC Secretariat.

The employee will be informed of the outcome of their declaration as soon as practical

Contact us

 The Permanent Secretary
Ministry of Technology and Science
Maxwell House, Los Angeles Boulevard
P.O. Box 50464, Lusaka, Zambia

📞 Tel: +260 211 252411
Fax: +260-1-252951/252089

✉ Email: info@MoTS.gov.zm
<https://www.mots.gov.zm>

