



Whistle Blowers Helps Companies Tackle Sexual Harassment

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Sexual harassment is one of the most common forms of abuse in the workplace worldwide. But the days of it being swept under the carpet are over and employers are now obligated to deal with perpetrators or face serious consequences.

In South Africa, sexual harassment - which is defined as unfair discrimination - is prohibited by the Employment Equity Act. Employers are tasked with policing this - and, if they don't, they risk being sued for large sums. Although a number of cases are documented, the highest profile one is that of Potgieter v National Commissioner of the SAPS and Another JS700/05. The judgement indicated that, once unfair discrimination is shown, a court can instruct an employer to pay compensation or damages.

Dale Horne, director of Whistle Blowers, points out that, in terms of the Companies Act of 2008, businesses need to have social and ethics policies and committees in place. For some of the biggest corporates, ethics are integral to their brand identities and specific policies directly address the issue of sexual harassment.

"It is evident that companies are now being more proactive in this arena. Some of this has to do with the fact that company owners and managers are more educated about the provisions and risks. A whistleblowing line - which listed companies are mandated to put in place to deal with fraud - is an effective means of dealing with other irregularities too. It is actually an inexpensive service that provides much needed eyes and ears in an organisation," he says.

Whereas, in the past, whistleblowing was seen only as a means of addressing white collar crime, he explains that it is now far more diverse. "While a whistleblowing service is often seen as closely aligned with auditing and has been seen as no more than a means of reporting theft and corruption, it actually goes way beyond this. We've proved that intelligence is power. We deal with anything that could harm a company or brand - from its image to financially."

Horne says that because handling complaints as empathetically as possible and protecting the identity of those that report problems via the Whistle Blowers call centre are priorities, this is an ideal way to deal with many of the sensitivities surrounding sexual harassment.

On the simplest level, many victims of sexual harassment fear being ridiculed. Many are also scared that they will be blamed for the situation. Because the harasser is usually senior to the victim, he or she also has to weigh up potential harm and lack of future job prospects.

The end result is that many suffer a huge amount of anguish and either tolerate abuse or move on without speaking out.

A case in point was a recent report that reached the Whistle Blowers call centre from a supplier to a large company. "She didn't know who to turn to. She couldn't tell her husband as she feared that he would get very angry. She was also concerned that the person she accused would know it was her and she would then lose any future work from that company. Having someone to confide in gave her a sense of release. Ultimately, we found that this was this guy's modus operandi and that he had done something similar to others."

An even more sensitive case that was successfully handled by Whistle Blowers brought some respite for a young man who was harassed and forced into a sexual relationship by a female superior and eventually cracked under the strain.

The most important thing is handling information discreetly and sensitively, following the correct procedures and building a relationship of trust with the whistleblower, Horne emphasises. "We have to build confidence. Callers should not feel like victims. We have a duty to protect them. This is where our niche is. They have the comfort of knowing they can remain anonymous and that there are clear guidelines on reports and who will handle these."

These procedures are guided by Whistle Blowers' 15 years of experience. Staff are handpicked and then extensively trained so that they are not only able to collect adequate and accurate information but have the personality profile to operate at the complaints coalface. Staff dedication is evident in the almost zero percent staff turnover at the call centre.

But training doesn't stop with the Whistle Blowers staff, says Horne. He believes that it is as important to ensure that staff at companies using a whistleblowing service are suitably inducted, educated and trained to use this facility. Equally, it is important for them to know about the policies and procedures that are in place in their organisations and that these work.