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ABBREVIATIONS

ISO	International Organization for Certification
HESLB	Higher Education Students' Loans Board
IIA	Institute of Internal Auditors

DEFINITION OF TERMS

ADVERSE EMPLOYMENT ACTION

Examples of adverse employment action include, but are not limited to, demotion, suspension, termination, transfer to a lesser position, denial of promotions, denial of benefits, threats, harassment or denial of compensation as a result of the employee's report of wrongdoing, or any manner of discrimination against an employee in the terms and conditions of employment because of any other lawful act done by the employee pursuant to this policy.

FINANCIAL REPORTING ALLEGATION

This refers to complaints and concerns of stakeholders regarding questionable accounting, internal accounting controls and auditing matters, including those regarding the circumvention or

**GOOD
FAITH**

attempted circumvention of internal accounting controls or that would otherwise constitute a violation of the Students Loans Board's accounting and Financial policies.

Good faith is evident when the report is made without malice or consideration of personal benefit and the Whistleblower has a reasonable basis to believe that the report is true; provided, however, a report does not have to be proven, to be true and to be made in good faith. Good faith is lacking when the disclosure is known to be malicious or false.

STAKEHOLDER

Include HESLB employees, existing and prospective loan beneficiaries, parents or guardians, employers, Higher Learning Institutions, all other Higher Education players and the general public at large.

WHISTLEBLOWER

Is defined as a stakeholder who discloses an evidence of wrong doing including fraud, financial irregularities, and serious maladministration arising

WHISTLEBLOWING

from the deliberate commission of improper conduct, unethical activities that may be of criminal nature and dangerous acts or omissions which create a risk to organization which they belong.

Is defined as the action of a stakeholder disclosing evidence or information of suspected wrong doing including fraud, financial irregularity, and serious maladministration arising from the deliberate commission of improper conduct, unethical activities that may be of a criminal nature and dangerous acts or omissions which create a risk to HESLB.

WRONGDOING

Examples of wrongdoing include, but not limited to, fraud, violation of laws, regulations, Students Loans Board policies, unethical behavior or practices, endangerment to public health or safety and negligence of duty.

1.0 INTRODUCTION

HESLB being a Quasi-Financial Institution is prone to fraud and malpractices which requires joint efforts of key stakeholders. It is for this reason a Whistle-blowing Policy is developed.

This is a new document benchmarked with similar documents from other organizations which have ISO certification Guidance from Institute of Internal Auditors (IIA), The United Republic of Tanzania Whistleblower and Witness Protection Act, 2015.

All HESLB whistle-blowers are encouraged to raise genuine concerns about possible improprieties in the conduct of our business, whether in matter of loans issuance, loan repayments, financial reporting or other malpractices, at the earliest opportunity and in an appropriate way.

The policy intends to support HESLB core values, ensure employees can raise concerns without fear of suffering retribution and to provide a transparent and confidential process for dealing with concerns.

This policy covers possible improprieties in matters of loans issuance, loan repayments or financial reporting. Other areas covered includes: -

- Fraud.
- Corruption, bribery or blackmail.
- Criminal offences.
- Failure to comply with legal or regulatory obligations.
- Miscarriage of Justice.
- Endangering the health and safety of an individual.
- Endangering any element of the environment.
- Concealment of any of the above.

2.0 POLICY STATEMENT

HESLB takes all wrongdoing very seriously whether it is committed by employees, suppliers, loan beneficiaries or other key stakeholders in the value chain.

3.0 SCOPE OF POLICY

This policy applies to all HESLB stakeholders. The policy shall cover all forms of fraud and malpractices.

4.0 PURPOSE

The purpose of this policy is to encourage all stakeholders to disclose any wrongdoing that may adversely impact the Students Loans Board's customers, members, employees, or the public at large.

This policy also is set forth: -

- (i) To encourage stakeholders to report suspected wrongdoing as soon as possible, in the knowledge that their concerns shall be taken seriously and investigated as appropriate, and that their confidentiality shall be respected;
- (ii) To provide stakeholders with guidance on how to raise concerns;
- (iii) To reassure stakeholders to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

5.0 GENERAL GUIDANCE

This policy presumes that whistle-blowers shall act in good faith and shall not make false accusations when reporting wrongdoing. A whistle-blower who knowingly or recklessly makes statements or disclosures that are not in good faith may be subjected to disciplinary actions and or prosecution.

5.1 GENERAL PRINCIPLES

Implementation of this policy shall base and adhere to the following principles:-

- i. All concerns raised shall be treated fairly and properly;
- ii. HESLB shall not tolerate harassment or victimization of anyone raising a genuine concern;

- iii. Any individual making a disclosure shall retain his/her anonymity unless he/she agrees otherwise;
- iv. HESLB shall ensure that any individual raising a concern is aware of the contact person ;
- v. HESLB shall ensure that no one shall be at risk of suffering some form of retribution as a result of raising a concern, even if he/she is mistaken;
- vi. HESLB do not however extend this assurance to someone that maliciously raises a matter that is known to be untrue.

5.2 PROCEDURES FOR MAKING COMPLAINTS

In addition to any other avenue available to a whistle-blower, any whistle-blowers may report through email, letter, phone or in person to the Audit Committee, openly, to the Director of Internal Audit and Investigation or to the Executive Director, confidentially or anonymously, any allegations or unethical behavior. Employees who become aware of any

wrongdoing or suspected wrongdoing are encouraged to make a report as soon as possible by contacting either party stated above. .

In the event the act of wrongdoing concerns the Director of Internal Audit and Investigation or the wrongdoing reported to the Director of Internal Audit and Investigation is not worked upon within thirty days from the date reported, then it should be escalated to the Chairperson of the Audit and Risk Management Committee of the Board of Directors.

To assist us in assessing or investigating your concerns, it would be helpful if you could be as clear as possible with the details. As a minimum, we need to understand the following

- Date(s) of incident(s)
- Type of incident
- Description of incident(s)/details of concerns
- Where did it happen?
- Who has been involved?
- Name (Optional)

Contacts for reporting are as follows:-
DIRECTOR OF INTERNAL AUDIT
AND INVESTIGATION

Higher Education Students' Loans
Board,
P. O. Box 76068,
DAR ES SALAAM.
Email Address: whistleblower@heslb.go.tz

EXECUTIVE DIRECTOR, HESLB
Dedicated line:
Email Address: abadru@heslb.go.tz

CHAIRPERSON OF AUDIT
COMMITTEE
Dedicated line:
Email Address:
arcchairperson@heslb.go.tz

5.3 FEEDBACK AND APPRECIATION

Where feasible, the Whistleblower shall be notified about receipt of reported information.

Where the reported matter leads to prevention of loss or leads to recovery of asset or funds that would otherwise be lost or may take longer time to recover, HESLB management may consider providing recognition and/or a reward to the Whistleblower as it may be determined from time to time.

5.4 PROTECTION OF WHISTLEBLOWERS

Except as otherwise provided above with respect to confidential and anonymous submissions by whistleblowers of concerns regarding questionable accounting, auditing or internal control matters, to the extent practicable, the identity of any whistle-blower who makes reports pursuant to this policy shall not be revealed to persons in the whistle-blowers department, division or work location.

HESLB shall make good faith efforts to protect the confidentiality of whistle-blowers making reports; provided. However, HESLB or its employees and agents shall be permitted to reveal the reporting whistle-blowers identity and confidential information to the extent necessary to permit a thorough and effective investigation or required by law or court proceedings.

In addition, HESLB shall not tolerate any effort made by any other person or group, to ascertain the identity of any person who makes a good faith allegation and/or wrongdoing anonymously. Consistent with the policies of HESLB, the Audit and Risk Management Committee shall not retaliate, and shall not tolerate any retaliation by Management or any

other person or group, directly or indirectly, against anyone who, in good faith, makes an allegation or report wrongdoing or provides assistance to the Audit and Risk Management Committee, Management or any other person or group, including any governmental, regulatory or law enforcement body, investigating an accounting allegation or wrongdoing.

5.4.1 PROTECTION OF WHISTLEBLOWERS

1. Subject to the provisions of section 10 of Whistleblower and witness protection Act 2015, Whistleblower shall be protected if :
 - i. The disclosure is made in good faith
 - ii. The Whistleblower has reasonable cause and allegation of wrongdoing contained it is substantially valued and
 - iii. The disclosure is made in accordance with the provisions of the Act

2. A whistleblower shall not be subject to criminal or civil proceedings in respect of disclosure made in form of Section 1 above

5.4.2 CIRCUMSTANCES THAT MAY ATTRACT PROTECTION OF WHISTLEBLOWERS

Section 10(1) A competent Authority shall, upon application by whistleblower or on the basis of the information gathered, protect him if there is a reasonable belief or fear on the part of the whistleblower as a result of disclosure that:-

- i. He may be subjected to dismissal, suspension, harassment, discrimination or intimidation or any other form of victimization by this employer or member of staff; or
- ii. His life or property or the life or property of a person of close or interpersonal relationship is endangered or is likely to be endangered.

Section 10 (2) Where a Competent Authority is satisfied that the whistleblower needs protection that is not within his powers he shall refer the matter to the institution that is capable of providing protection to protect the whistleblower

5.5 RECORDS AND REPORTING

The Director of Internal Audit and Investigation shall report to the Audit and Risk Management Committee a summary of reports made on a quarterly basis and shall retain the reports for a period of twenty years.

5.6 NOTIFICATION

The Director of Internal Audit and Investigation shall notify and communicate the existence and contents of this policy to the employees of HESLB. Policy and its amendments shall be made available on HESLB's Website.

6.0 APPROVAL

The policy shall be approved by the Audit and Risk Management Committee of the Board of Directors and signed on its behalf by:

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Frank N. Mugeta
Chairman of Audit and Risk Committee

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Abdallah M. Mtibora
Secretary of Audit and Risk Committee

Date:

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