TSC STAFF RETIREMENT BENEFITS SCHEME

TEACHERS SERVICE COMMISSION STAFF RETIREMENT BENEFITS SCHEME

Your future secured

WHISTLEBLOWING POLICY

2024

VISION

An exceptional pension scheme offering comfort in retirement

MISSION

To ensure prudent utilization of Scheme Funds and provide timely benefits to members and their beneficiaries

CORE VALUES

- **Integrity**
- **Equity and fairness**
- **Respect for members**
- **Accountability**
- **Innovativeness**

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1.0 Introduction

The Teachers Service Commission Staff Retirement Benefits Scheme is dedicated to upholding the highest standards of ethical conduct, transparency, and accountability. This Whistleblowing Policy provides a safe, confidential, and structured process for Trustees, Members, Service Providers, and other stakeholders to report any suspected or actual illegal, unethical, or inappropriate behaviour. The policy ensures that such reports are handled with integrity and without fear of retribution.

2.0 Objectives

- To encourage the reporting of suspected or actual misconduct within the Scheme.
- To provide clear procedures for reporting and handling whistleblowing incidents.
- To protect Whistleblowers from any form of retaliation or retribution.
- To maintain the confidentiality of Whistleblowers to the maximum extent possible.
- To promote a culture of openness and accountability within the Scheme.

3.0 Scope

This policy applies to all Trustees, Members, Service Providers, and other stakeholders of the Scheme. It covers the reporting of illegal activities, unethical behaviour, financial misconduct, breaches of the Scheme's policies, and any actions that could negatively impact the Scheme's reputation or operations.

4.0 Whistleblowing Procedures

4.1 Reporting a Concern

- Initial Reporting: A Whistleblower should report any suspected or actual illegal, unethical, or inappropriate behaviour to the Board Chair.
- Alternative Reporting Channels: If the Whistleblower is uncomfortable reporting to the Board Chair, or the Trust

Secretary they may report directly to the Retirement Benefits Authority (RBA).
Anonymous Reporting: The Whistleblower has the option to report anonymously if they prefer.

4.2 Protection for Whistleblowers

- Non-Retaliation: A Whistleblower who reports in good faith will not face retaliation or retribution, regardless of the outcome of the investigation. This protection includes safeguarding against victimization.
- Good Faith Reporting: Reports made in bad faith, with the intent to harm another person or the Scheme, may result in disciplinary action, including termination of Trusteeship or service contracts.

4.3 Handling Reports

- **Immediate Action:** The Board Chair or Trust Secretary shall promptly investigate or address the reported issue.
- **Investigation Process:** An investigation will be conducted in a fair, thorough, and impartial manner. The investigation may involve internal or external parties, depending on the nature of the concern.
- **Confidentiality:** The identity of the Whistleblower will be kept confidential to the extent possible, except as required by law or as necessary for the investigation.

4.4 Feedback to Whistleblower

- **Report on Actions Taken:** The Whistleblower will receive a report within fourteen business days of the initial report detailing the investigation's outcome, disposition, or resolution. If the Whistleblower reports anonymously, this information will be made available through a suitable channel accessible to all stakeholders.

4.5 Escalation of Concerns

- **Right to Further Action:** If the Whistleblower is not satisfied with the outcome of the investigation conducted by the Board Chair or Trust Secretary, they may escalate the issue to an appropriate legal or investigative agency. The reporting sequence should be as follows; Trust Secretary, Board Chair, Retirement Benefits Authority and then law enforcement agencies, as appropriate.

- **Criminal Activity:** Any crimes against persons or property reported under this policy should be immediately referred to local law enforcement agencies.

5.0 Compliance and Monitoring

- **Documentation:** All whistleblowing reports and investigations will be documented and securely stored, ensuring the integrity of records and protecting the confidentiality of all parties involved.
- **Training and Awareness:** Trustees, Members, and Service Providers will receive regular training on the Whistleblowing Policy and the importance of reporting unethical behaviour. Awareness campaigns will be conducted to promote the policy and encourage reporting.

6.0 Review and Revision of Policy

This policy will be reviewed every three years or as required by changes in legal, regulatory, or business requirements. Any revisions shall be approved by the Board of Trustees.

7.0 Adoption and Sign Off

This policy is adopted by the Teachers Service Commission Staff Retirement Benefits Scheme and is effective from the date of approval by the Board of Trustees.

Signed by the Trustees of **Teachers Service Commission Staff Retirement Benefits Scheme** on this 20TH day of SEPTEMBER 2024.

COMMISSIONER MBAGE NJUGUNA NG'ANG'A ____________

MR. FRANKLIN KIPRONO CHOGE ____________

MR. GEORGE MUNENE GICHONJO ____________

MS. JENNIFER WAITHIRA NDEGE ____________

MS. ERICA KIPSOISOI RUTTO ____________

MR. GEORGE ONYANGO ODAWO ____________

MR. SAMUEL MWENDA KITHINJI ____________

MR. JOSHUA KITHUNU KAMANA ____________

In the presence of the Trust Secretary

MRS. SALOME KARAMBURI MWITI ____________