



home affairs

Department:
Home Affairs
REPUBLIC OF SOUTH AFRICA

DHA Counter Corruption & Fraud

Prevention Strategy

2023

DHA - COUNTER CORRUPTION STRATEGY**Document Control Page**

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Please note that the implementation of the policy contained in this document is subject to approval and signature of the delegated authority.

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1. FOREWORD BY THE DIRECTOR-GENERAL OF HOME AFFAIRS

The Department of Home Affairs (DHA) has for many years borne the yoke of a reputation mired by corruption and inefficiency. Whilst some might see this as justified, the Department is dedicated to ensuring that we leave this image behind as we transform into a new, highly secure modernised department with zero tolerance for corruption. This judicious DHA Counter Corruption Strategy seeks to address the systemic and operational gaps that may expose the Department to fraud and corruption. I trust that Home Affairs officials who are serious about eliminating fraud and corruption in the Department will welcome its development.

The Strategy is further developed to effectively manage the fraud and corruption risks, which the Department is facing or can be exposed to in the course of its operations. Importantly, it embodies our steadfast commitment to the fight against fraud and corruption. It is therefore important to recognise this Strategy as an integral part of strategic management in supporting the Public Service Anti-Corruption Strategy, Public Service Regulations, Treasury Regulations and the general responsibilities for good governance.

To the extent that we work together, in a focused, collaborative and decisive manner, we will overcome the scourge of corruption in the Department. We are fully committed to our international obligations that seek to mobilise the global community to fight corruption and safeguard the identity of all citizens and to monitoring all visitors to our shores.

Wielding the DHA's Counter Corruption Strategy as part of our arsenal for improvement and renewal, will indeed assist in overcoming the prevailing negative brand perceptions.

MR L.T. MAKHODE
DIRECTOR-GENERAL
DATE:

2. DEFINITIONS

Term	Description
Fraud	The unlawful and intentional making of a misrepresentation resulting in actual or potential prejudice to another person or institution.
Corruption	Giving or offering, receiving or agreeing to receive, obtaining or attempting to obtain any benefit to which a person is not legally due to or by a person who has been charged with a duty or power by virtue of any employment, to do any act or omit to do any act in relation to that power or duty.
Ethics	Are concerned with human character and conduct and deal with questions of right and wrong, appropriate and inappropriate behavior and what constitutes good or bad.
Corporate Ethics	Corporate Ethics is concerned with conduct and deals with questions of appropriate and inappropriate behaviour, and what constitutes acceptable and unacceptable behaviour in the workplace.

3. ACRONYMS AND ABBREVIATIONS

Acronyms/Abbreviation	Meaning
Accounting Officer	Director-General of the Department
CCSS	Counter Corruption & Security Services
Code of Conduct	Code of Conduct for the Public Service
DG	Director-General of Home Affairs
DHA	Department of Home Affairs
MISS	Minimum Information Security Standards
MPSS	Minimum Physical Security Standards
PFMA	Public Finance Management Act
Plan	DHA Fraud Prevention Plan
Strategy	DHA Counter Corruption and Fraud Prevention Strategy

4. DHA VISION, MISSION AND VALUES

4.1 Vision

A South Africa where identity, status and citizenship are key enablers of citizen empowerment and inclusivity, economic development and national security.

4.2 Mission

DHA carries out its mission in line with its commitment to citizen empowerment and inclusivity, economic development and national security, by:

- Being an efficient and secure custodian of citizenship and civil registration
- Securely and strategically managing international migration
- Efficiently managing asylum seekers and refugees
- Efficiently determining and safeguarding the official identity and status of persons

4.3 Values

- People-centred and Caring
- Patriotism
- Professional and showing leadership
- Effective, Efficient and Innovative
- Ethical and having integrity
- Security Conscious
- Development orientated

5. LEGAL FRAMEWORK

5.1 Corruption and fraud management is an integral part of strategic management in support of the Public Service Anti-Corruption Strategy, Chapter 2 of the Public Service Regulations, Treasury Regulations and general responsibilities for good governance.

5.2 The following legislation has also been taken into consideration in the development of the Plan:

- The Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004).
- The Protected Disclosure Act, 2000 (Act No. 26 of 2000).
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
- Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- Public Administration Management Act, 2014 (Act No. 11 of 2014).
- Criminal Procedures Act, 1977 (Act No. 51 of 1977).
- Public Service Act, 1994 (Act No. 103 of 1994, as amended).
- Labour Relations Act, 1995 (Act No. 66 of 1995).
- Public Finance Management Act, 1999 (Act No 01 of 1999).
- Protection of Personal Information Act, 2013, (Act No. 04 of 2013).
- Minimum Information Security Standards and Minimum Physical Security Standards.

6. THE SCOPE OF THE STRATEGY

This strategy applies to all DHA employees, stakeholders and any other person or entity doing business with the Department.

7. THE STATEMENT OF ATTITUDE

The DHA adopts a **zero tolerance** stance towards fraud, corruption, poor service delivery and all forms of unethical behaviour.

8. OBJECTIVES

8.1 This Strategy was developed to effectively manage the fraud and corruption risks which the DHA is or can be exposed to.

8.2 To recommend, advise and assist Branches by putting measures in place to protect the Department's assets and reduce its reputational risk by:

- Committing DHA to a zero tolerance stance towards fraud and corruption.
- Promoting and instilling a culture of ethical behaviour within DHA where all employees and stakeholders behave ethically.
- Communicating a clear message to all employees, stakeholders and members of the public who interact with DHA that the Department is committed to fighting fraud and corruption.
- Improving accountability, efficiency and effective administration within DHA and to deal decisively with acts of fraud and corruption.
- Improving the application of systems, policies, procedures and regulations.
- Improving the reporting and monitoring of incidents of fraud and corruption.
- Encouraging all employees of DHA, its stakeholders and members of public to strive for the prevention, detection and reporting of fraud impacting, or having the potential to impact on the DHA.
- Protect against security threats, which impact on assets, information, interests, people, systems and processes, maintaining security at highest standards.

9. MANIFESTATION OF FRAUD AND CORRUPTION IN THE DHA

In DHA, the magnitude of corruption can be attributed to a variety of factors such as, inter alia, RSA being an emerging democracy attracting people not only from Africa but from other parts of the world. Economic migrants do often exploit our porous borders and enter the country illegally, creating the demand for enabling documents to avoid detection by law enforcement authorities.

Unfortunately, the scourge is facilitated by officials with low affinity for corporate values, ethos and ethics, and they remain vulnerable to taking bribes. This is exacerbated by poor governance of internal systems and weak controls or the lack of will to enforce such measures. In addition,

inadequate supervision and the non-segregation of duties leads to security vulnerabilities of assets to criminal syndicates operating from outside the Department.

The following areas were identified as vulnerable to fraud and corruption:

Where?	Flash points
Civic Services	Birth, Marriages, Deaths, ID, Passport and Citizenship.
Immigration	Permitting, Asylum Seekers & Refugees Management and Port Control.
IS	Lack of systems integration: IT systems (Movement Control System, Track & Trace, National Population Register and National Integrated Information Systems)
Finance	Theft, loss, abuse of DHA's assets and funds. Non-compliance with procurement policies/procedures or other forms of procurement irregularities. Falsification of information, e.g. kilometers travelled, S&T claims etc.
HR	Personnel appointment irregularities. Disciplinary procedure irregularities.

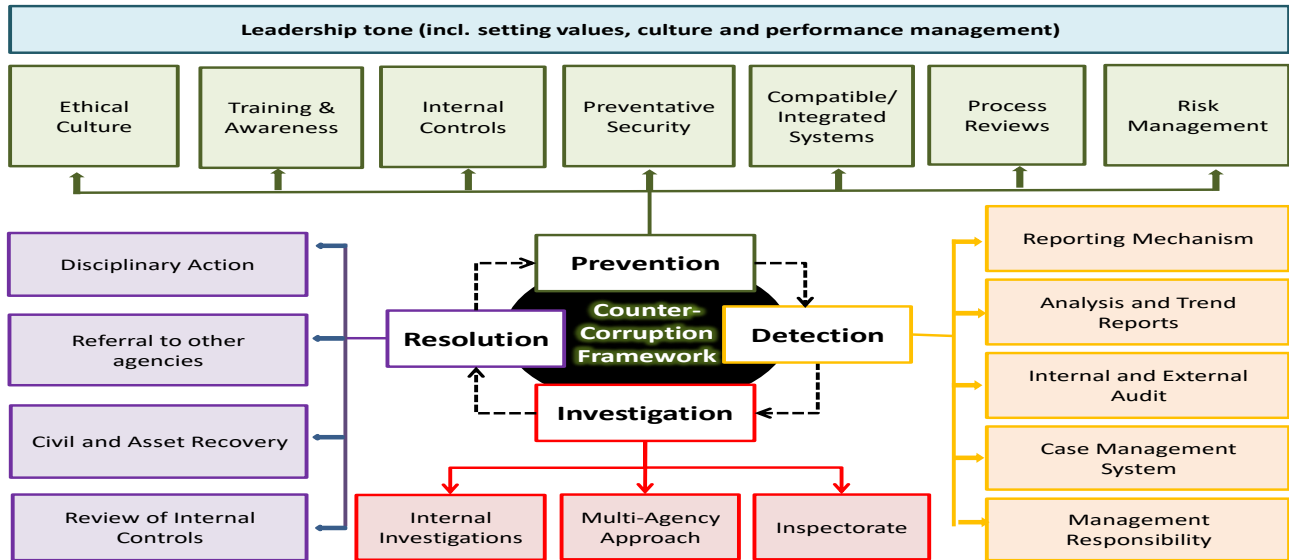
10. THE APPROACH

- 10.1 In developing the Strategy, major business risks, Internal Audit reports, Risk Registers, Baseline Study, Risk Profile on Fraud and Corruption in the DHA, **(ANNEXURE A)** on Causes of Corruption in DHA and corruption trend reports were all considered and interrogated into the contents of the strategy.
- 10.2 The risks of fraud addressed in this document should not be relied upon as the full spectrum of the risks facing the DHA, but rather as an indication of the type of risks, bearing in mind the transformation of the risks of fraud resulting from constant technological enhancements and changing business processes.

11. COMPONENTS OF THE COUNTER CORRUPTION AND FRAUD PREVENTION STRATEGY

11.1 Leadership Tone and Organisational Culture

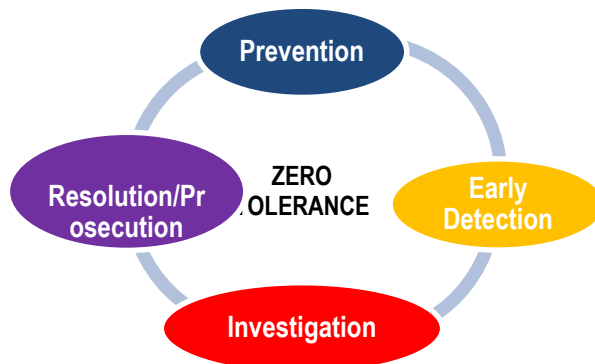
The DHA leadership is committed to a zero tolerance stance against fraud and corruption, evident from the following:



- The establishment of the Minimum Anti-Corruption Capacity within DHA, the Counter Corruption and Security Services Branch, headed by a Deputy Director-General to coordinate activities aimed at preventing and combating fraud and corruption within DHA.
- Implementation of the Counter Corruption and Fraud Prevention Strategy forms part of the DHA’s strategic priorities.
- Appointment of an Ethics Champion as well as an Ethics Management Committee to implement an ethics program to ensure adoption and implementation of an ethical organisational culture.

11.2 Key Pillars of the Strategy

The Counter Corruption and Fraud Prevention Strategy is anchored on four pillars as depicted in the figure below:



11.2.1 Prevention

- **Ethical Culture:** DHA implements a structure which consists of the deployment of an Ethics Champion and Ethics Officers to implement the departmental Ethics Management Program.
- **Training and Awareness:** DHA conducts fraud, corruption and ethics awareness workshops, training for all employees across all levels. Awareness is also conducted for members of the public through face-to-face interactions at offices, various media platforms as well as Izimbizo.
- **Internal Controls:** There are a number of policies, procedures and internal control measures in place that complement and support the strategy. The Internal Audit Unit responsible for implementing an Internal Audit Program which incorporate steps to evaluate adherence to internal controls.
- **Preventative Security:** DHA ensures the adoption and implementation of comprehensive preventative security approaches which includes Physical Security, Information Security and Personnel Security (Vetting). All these are done in order to protect the department from security risks by having officials and service providers who are security competent and hold the appropriate security clearance to conduct their business within, and without the department. **Refer to Internal Security Policy (ANNEXURE B) and Vetting Policy (ANNEXURE C).**
- **Compatible/Integrated Systems:** One of the departmental priorities is to digitise data, including all records in order to ensure the realization of secure, integrated and automated processes and systems towards the creation of a paperless environment.
- **Risk Management:** The department has embedded fraud and corruption risk management processes its systems by ensuring that the responses to fraud and corruption risks remain current and dynamic. This is complemented by the establishment of a Risk Management Committee which is meant to ensure proper risk management at the appropriate levels within the DHA.

11.2.2 Detection

- **Process Reviews:** DHA remains committed to continuous review of its business processes and systems in order to identify possible vulnerabilities to fraud, corruption and security breaches and to recommend mitigating strategies for implementation.
- **Management Responsibility:** All Managers are responsible for the prevention, detection and reporting of fraud and corruption in terms of section 45 of the PMFA (Act No 1 of 1999) as amended. Managers must perform their responsibilities effectively and efficiently. They must not become complacent in dealing with fraud and corruption. Furthermore, Managers must support the Strategy and the implementation of internal control measures designed to minimise fraud and corruption risks, including recommendations from process reviews. A detailed list of the various roles and responsibilities is attached as **(Annexure D)**.
- **Reporting Mechanisms:** DHA has adopted a whistleblowing policy which is embedded on the early reporting of unethical behaviour, misconduct and corruption **(ANNEXURE E)**, which sets out the detailed procedure which must be followed in order to report any incidents of fraud and/or corruption. The Policy was designed to comply with the provisions of the Protected Disclosures Act.

- **Analysis:** Data from various systems, documents and reports are analysed in order to identify emerging trends, patterns and possible fraud and corruption risks. Utilisation of a manual and/or electronic Case Management Systems to ensure data integrity.
- **Internal Audit:** Similar to the prevention strategies, a robust risk-based Internal Audit Plan which takes into consideration fraud and corruption risks also serves as an effective measure.
- **External Audit:** DHA is also the subject of annual external audits that are undertaken by the Auditor-General.

11.2.3 Investigation

- **Internal Investigations:** Directorate: Investigations investigates allegations of fraud and corruption perpetrated by DHA officials. All investigations are undertaken in line with the DHA Investigation Policy (**Annexure F**). In instances where a member of the Directorate: Investigations is alleged to be involved in fraud and/or corruption, an External Investigator will be appointed.
- **Inspectorate:** Inspectorate must enforce immigration legislation by locating or tracing illegal foreign nationals in the country and ensure that the resulting enforcement, be it prosecution or deportation, is undertaken
- **Multi-Agency Approach:** A multi-agency approach will be invoked where the nature of matters under investigation warrant involvement of other law enforcement agencies.

11.2.4 Resolution

Post investigation activities which can include the following:

- **Disciplinary action:** Where evidence exists that acts of misconduct were committed, such cases shall be handled in accordance with the relevant legislative prescripts and Departmental Disciplinary Code and Procedures.
- **Referral to other agencies:** Appropriate mechanisms exist for the referral of cases to external law enforcement agencies, such as the HAWKS. In cases where the Department has evaluated and/or performed an investigation and discovered evidence of fraud or corruption, the case will be reported to SAPS for further investigation and possible criminal prosecution.
- **Civil and Asset recovery:** Where enough evidence of fraud or corruption exists clear evidence of financial loss to the Department, recovery action (criminal, civil or administrative), will be instituted to recover any of such losses.
- **Review of internal controls:** In each instance where fraud and corruption is detected, Line Management will reassess the adequacy of the current internal control environment (particularly those controls that directly impacts on the fraud/corruption incident) to consider the need for improvement.

12. IMPLEMENTATION OF THE STRATEGY

- 12.1 The Branch: Counter Corruption and Security Services is responsible for communicating the Strategy and providing the necessary information/advice regarding the implementation thereof.

- 12.2 The DHA Fraud Prevention Plan gives detailed expression to the Strategy, whilst paving the way forward for the implementation thereof **(Annexure G)**.
- 12.3 A detailed Implementation Plan gives further impetus on how the strategy would be fully effected. **(Annexure H)**.
- 12.4 All Management shall ensure that the Strategy and Fraud Prevention Plan are effectively implemented within their areas of responsibility. Furthermore, they shall ensure that all employees and stakeholders are made aware of the Department's overall anti-fraud and corruption strategies.
- 12.5 The branch would initiate investigations on suspected fraud and corruption within the department and then collect all the necessary information for processing and decision making. In cases where there is clear evidence of criminality, matters would be referred to law enforcement agencies for further investigation and prosecution.
- 13. MONITORING AND REVIEW**
- 13.1 The progress reports on the implementation of this Strategy will be submitted quarterly and annually to Monitoring and Evaluation as well as the relevant departmental governance structures, such as Risk Management and Audit Committees.
- 13.2 This Strategy shall be reviewed every three years after implementation or when necessary.