

WHISTLEBLOWING POLICY AND FRAUD PREVENTION IN NIGERIA

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Abstract

This paper examined the effectiveness of whistleblowing policy on fraud prevention in Nigeria. Specifically, the paper accessed the level of whistleblowing policy implementation and how it influences fraud prevention among the three tiers (federal, state and local government) of government in Nigeria. Purposive sampling techniques was introduced in selecting 97 staffs accross federal, state, and local government agencies within katsina state metropolist. Questionnaires were used to source data from the selected staffs. The Data were analyzed using the means score, while levene's test for equality of variances was used in testing the hypotheses with the aid of SPSS version 23.0. It was found that, there are significant variances in the implementation of whistle blowing policy among the 3 tiers of government with higher implementation at the federal level. Furthermore, the F statistics values of 5.923, 5.218, and 4.072 at 0.051, 0.062, and 0.090 values of significant indicated that whistleblowing policy have significant impact on fraud prevention in Nigeria. The paper recommends full implementation of whistle blowing policy most especially by state and local government parastatals. The study further recommends that, fraud prevention agencies such as, EFCC, ICPC and other relevant bodies to create awareness on the advantages and impact of whistle blowing policy on fraud detection and prevention.

Key words; Whistleblowing Policy, Fraud Prevention and Tiers of Government

1. INTRODUCTION

The practice of fraud is often in the form of abuse of interest or conflict of interest, corruption, bribery, illegal gratuities, kickbacks, diversion of revenues, among others. Transparency International describes the Corruption Perception Index (CPI) which measures the country's corruption rate in 2020 and based on a survey of 180 countries, Nigeria ranks 149 as most corrupt country with a score of 25. (CPI, 2020). It is estimated that Nigeria may have lost over \$500 billion to graft and the looting of

public treasury by government officials since independence (Taiwo, 2015). The Nigerian presidential advisory committee against corruption has said not fewer than 8000 whistleblowers were recorded by the federal government in the last one year. It was stated that the whistle-blowers policy has succeeded. The whistle-blowers were reassured that there will be an agreement to be signed with the office of attorney general of the federation indicating that everyone is entitled to the recovery and will decide on how much money will be paid (Nwasoneye, 2018).

Federal Government, 36 states and the 774 local government councils in Nigeria shared a total sum of N5.9 trillion from the Federation Account in 2017 in spite of the economic recession witnessed during the period. The Federal Government and its agencies received a total sum of N2.5 trillion which represents 42.4% of the total money shared during the year. The other tiers of government that is states and local governments shared N3.3 trillion representing 56% of the total amount (Odunsi, 2018). Whistleblowing policy is still undergoing the process of legislative approval in Nigeria. However, many believe that it is already yielding magnificent results. The policy is focusing much attention on federal government despite the fact that corruptions are the order of the day in both the states and local governments.

There are few studies on whistleblowing policy in developed and developing nations, for example, Ogbu 2017 conducted his studies in Nigeria; Natasja 2007 in South Africa; Miceli M.P and Near J.P 1992 in USA among other few studies. Most of these studies focused mainly on war against corruption, third party protection on whistleblowing, audit committee of banking industry and whistleblowing, fraud and forgery. However, this study intends to provide empirical evidences on the level of implementation of whistleblowing policy and its effect on fraud prevention among the three tiers of government in Nigeria.

2. LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.2.1. Concept of Whistleblowing

The United State of America civic activist Ralph Nader is said to have coined the phrase, but he in fact put a positive spin on the term in the early 1970s to avoid the negative connotations found in other words such as "informer" and "snitch". However, the origins of the word date back to the 19th century. The word is linked to the use of a whistle to alert the public or a crowd about a bad situation, such as the commission of a crime or the breaking of rules during a game. The phrase whistle blower attached itself to law enforcement officials in the 19th century because they used a whistle to alert the public or fellow police. Sports referees, who use a whistle to indicate an illegal or foul play, also were called whistle blowers. (Martin, 2017).

Time magazine dubbed 2002 the "Year of the Whistleblower," and named Watkins, Cooper, and Rowley as its "Persons of the Year." Their stories fueled the observation that women are more likely to become whistleblowers not for the potential for fame and financial gain, but out of a sense of duty. Although Watkins, Cooper, and Rowley were each subjected to rather harsh treatment by their respective employers following their disclosures, they became national celebrities by "speaking up when no one else would." James (2002)

According to Micelli and Near (1992), Dandekar (1990), Goldberg (1987), James (1984); Whistleblowing is the disclosure by organization members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action. In keeping with previous research, herein after terms such as wrongful activity and questionable practice refer to omissions as well as commissions, for example, when an organization fails to warn employees of workplace hazards". Lee and Neil, 2013; ACFE, 2014, Chung et al; 2004; Paul and Townsend, 1996; Barnett et al: (1993) go with concept that companies use whistleblowing to detect fraud, whistleblowing policy will detect fraud and minimize the cost of losses (especially at companies that implement policies of whistleblowing). According to Gillan (2003), Whistle-blowers are persons (usually workers) who at their own risk, having been "motivated by a sense of personal, and/or public duty, may expose what they perceive as specific instances of wrongdoing, which may be within the private and/or public sector". A whistleblower is a person who tells the public or someone in authority about alleged dishonest or illegal activities occurring in a government department, a public or private organization or a company. The alleged misconduct may be classified in several ways; a violation of law, regulation and or a direct threat to the public interest such as fraud, health /safety violation and corruption (Hannigan 2006; Taiwo, 2015). Whistle blowing can also be described as a moral obligation of all committed members of an organization, community or state to expose violations or acts of corruption that are likely to undermine progress or the pursuit of common good.

According to De George (1986), cited in Hoffman and McNulty (2010), the criteria for *permissible* whistle blowing are as follows; the firm, through its product or policy, will do serious and considerable harm to the public, whether in the person of the user of its product, an innocent bystander, or the general public. Once an employee identifies a serious threat to the user of a product or to the general public, he or she should report it to his immediate supervisor and make his or her moral concern known. Unless he or she does so, the act of whistle blowing is not clearly justifiable. If one's immediate supervisor does nothing effective about the concern or complaint, the employee should exhaust the internal procedures and possibilities within the firm.

This usually will involve taking the matter up the managerial ladder, and, if necessary — and possible — to the board of directors. De George (1986) holds that whistle blowing becomes *morally required* when — in addition to the previous three criteria — the following two are also met. The whistleblower must have, or have accessible, documented evidence that would convince a reasonable, impartial observer that one's view of the situation is correct, and that the company's product or practice poses a serious and likely danger to the public or to the user of the products. The employee must have good reason to believe that by going public the necessary changes will be brought about.

2.2.2. Concept of Fraud

Fraud is the crime of gaining money or financial benefits by a trick or by lying, a fraud is something or someone that deceives people in a way that is illegal or dishonest. The Economic theory on fraud dates back to when white collar frauds by Chief Executive Officers (CEOs) against the organization were becoming rampant. This theory started with study with the belief that this is an inefficient contract that is manifested in the market for lemons. One of the notorious white-collar crimes is the employee fraud in the organization with intent to enrich and at most and exits the organization as quickly as possible when the fraud has been successfully executed. Committee of Sponsoring Organization of the Treadway Commission (2010) reports large sums of money being lost regularly by public firms and more commonly among the medium or lower size firms, where more than 26% of assets were lost.

One of the ways to detect fraud, though, ex-post is through internal audit. Internal audit is the process engaged to check if due process and procedures have been followed in the carrying out the operations of an organization which is carried out regularly and as when needed. According to Gayasi (2000) internal audit functions to provide independent view of financial, accounting and other processes to the management as a basis for protective and constructive service. It performs well if it has sufficient standing and authority within the bank and at the same time operates according sound principles (Bank for International Settlement, 2012). It acts a check on the way in which the operations of the firm or the organization are done. Internal control is a gamut of measures that seeks to detect errors, frauds and irregularities, to ensure that all transactions are correctly processed and ensure that all assets are safeguarded through restriction of access to authorized persons only. It also enables work to be performed by a person and any omission or error can be traced to that person and to make the work of the auditors easier, (Aguotu, 2002).

2.2.3. Nigeria's Whistleblowing Policy

On December 21, 2016, Nigeria's Federal Ministry of Finance approved a whistleblowing program as part of the Nigerian government's continued efforts to fight corruption. Key features of the program include the launch of an online portal for submission of tips and the establishment of a reward for "information that directly leads to the voluntary return of stolen or concealed public funds or assets" (the reward is 2.5 to 5% of the amount recovered, with the percentage decreasing as the amounts recovered increases). As over \$176 million in stolen funds was recovered within the first two months of the program, the whistleblowing policy appears to be an overnight success story. Nevertheless, although stolen funds are indeed being recovered, the existing policy does not do enough to offset the risks that whistleblowers face when they come forward with information, and this deficiency may limit the long-term effectiveness of the program. In particular, there are three aspects of the program that the government ought to reform in order to encourage individuals to assume the risks associated with becoming a whistleblower, and consequently to ensure the policy's continued success, (Demming, 2017).

According to Federal Ministry of Finance, the Government has received a total of 2,150 tips from the public, 128 tips came through the website of the ministry, 1,192 was through phone calls, 540 through SMS and 290 through email to the ministry. By August 2017, a total of 5000 tips was received. In October 2017, the Acting Chairman of the Economic and Financial Crimes Commission (EFCC), Ibrahim Magu said that N527,643,500; \$53,222.747; GBP21,222,890 and Euro 547,730 was recovered since the policy was launched, (Onyeji, 2017). In 2017, a whistler-blower helped the Nigeria government to recover \$43.5million, GBP 27,800 and N23.2million at No. 16 Osborne Road, Ikoyi Lagos, Nigeria. It was also reported that Federal Ministry of Finance paid the whistler-blower the sum of N421million, (Adegoke, 2017).

2.3 Review of Empirical Studies

Ogbu (2017) Investigated whistle blowing policy as a mechanism for energizing the 'war against corruption' in Nigeria. The paper examines the theoretical foundations of the policy as well as the current application of its provisions against the ultimate objective of fighting corruption in Nigeria. The paper argues that the policy, which is still awaiting the backing of an enabling law at the time of this study, the paper recommended the need to be further tweaked to speak to the issues of ethics, protection of whistle blowers and impactful communication strategies, in order to serve as a potent energizer to the 'war against corruption' in Nigeria.

Sule (2014) conducted a study on ‘Whistleblowers’ Protection Legislation: In search for model for Nigeria. This paper seeks to test the two bills on whistle-blowing before the Nigerian legislature against the best practices in whistle-blowing. The study reveals that it is no longer strange that some ‘courageous’ or former employees or even a member of the public exposes a big financial scandal, mismanagement of public funds or grievous breach of health and safety regulation. The revelation made could be disastrous both to the organization reported and to the person making the report. Ordinarily, because of the existence of the common law duties of trust, loyalty and confidence a whistle-blower could be legitimately dismissed and prosecuted. So many countries are now abandoning this old harsh common law principle in favor of laws protecting whistleblowers against any consequences of their revelation. Among these countries is Nigeria.

Natasja (2007) conducted a study with the aim to analyze and evaluate the determinants of the phenomenon of whistle blowing that influences the protection of employees making authorized and/or unauthorized disclosures. The study revealed that the ethical determinants of the work environment, the determinants influencing the individual whistle blower and the organizational determinants influencing effective whistle blowing in order to serve as a mechanism to combat corruption.

Fasua And Osifo (2017) examine effective whistle-blowing mechanism and audit committee in Nigerian banking sector. The study employed a multi-variate regression technique as tool of analysis. A logistic regression analysis is used to estimate the relationships proposed in hypotheses. The study predicts that the Nigerian banking sector with more independent, meeting, expert, and diligent audit committees are likely to establish effective whistle blowing mechanism. The study finds a strong association between effective whistle blowing mechanism in Nigerian banking sector and audit committee independence, audit committee financial expertise, and audit committee meeting. The result of findings reveals that whistle blowing mechanism in Nigerian banking sector needs to be strengthened. Finally, the audit committee should be given the oversight duties in order to achieve desirable goals and objectives.

2.4. Theoretical Framework

1. Universal Dignity Theory of Whistle blowing (UDTW)

UDTW interrogates the morality of whistle blowing from a stakeholder’s perspective. Although De George (1986) holds the view that it is a fundamental and moral obligation of business to avoid or prevent harm to society, he argues that there are circumstances when external whistle blowing by employees may be ‘morally prohibited’, ‘morally permitted’ and ‘morally required’. In his view, external whistle

blowing is an act of dissent or disobedience to organizational ethos and must be justified by sound ethical considerations to be permissible or mandatory. Thus, it is ‘morally prohibited’ to blow the whistle when there is no evidence of any intended harm to the society or where the whistle blower provides false or fictitious information out of malice or vengeance.

2. Ethical Theory of Whistle blowing (ETW)

This was developed in order to address the risk one takes and the danger to which one is exposed as may be relative or targeted at business organizations, the fundamental principles are applicable to other circumstances, including the public sector in Nigeria. The major problem, however, is that a proper definition of *morally permissible* and *morally mandatory* whistle blowing may be difficult to achieve. As Hoffman and McNulty (2010) aptly points out, the distinction between , *morally permitted*, and *morally required* is troubling because it seems to render highly tenuous the connection between duty and what is morally right since if something is permitted but not required, it would carry little moral weight. In a way, De George’s criteria imply that there is no moral duty for self-sacrifice.

3. RESEARCH METHODOLOGY

The paper adopts primary data using structured questionnaire and which were served to some selected staffs of federal, states and local government agencies in Katsina State. Thus, 90 questionnaires were distributed. The distribution and retrieval are shown in Table 3. 1. The return rate of the questionnaires shows that federal government has 26.67% of total while state and local governments have 31.11% and 30% respectively of total questionnaire returned. This stratification enables the understanding of the type of responses obtained from the various organizations. Thus, total response rate of the organizations to the questionnaire was 87.78%

Table 3.1: Distribution and retrieval of questionnaires

Organizations	No served	No returned	% Returned
Federal	30	24	26.67
States	30	28	31.11
Local Government	30	27	30.00
Total	90	79	87.78

Source: Fieldwork, (2019).

3.1. Data Analysis Techniques

Using the descriptive data approach, the data generated from the study were presented in tables and analyzed using the mean scores; while Levene's Test for Equality of Variances was used to test all the hypotheses with the aid of SPSS version 23.0

4.0 RESULT AND DISCUSSION

Table 1: F -Test on Whistle Blowing Implementation among the 3 Tiers of Government

Variable	Levene's Test for Equality of Variances	
	F	Sig.
Whistle blowing implementation	5.145	0.064*

Source: SPSS Output. Note: () indicates significant at 10%.*

Table 1 presents the result of Levene's test on the variances for implementation of whistle blowing policy among federal, state and local government parastatals within Katsina State metropolis. The significant F statistics of 5.145 at 10% indicated that there are significant differences in the implementation of whistle blowing policy among the 3 tiers of government in Nigeria. This signifies that whistleblowing policy implementation is relatively high at the federal level compare to state and local government agencies.

Table 2: F -Test on Whistle Blowing and Prevention of Fraud among the 3 Tiers of Government

Variables	Levene's Test for Equality of Variances	
	F	Sig.
Whistle blowing aims to prevent fraud	5.923	0.051*
Organizations that do not have whistle blowing policy are vulnerable to fraud	5.218	0.062*
Whistle blowing policy impact positively on fraud preventing and detection	4.072	0.090*

Source: SPSS Output. Note: () indicates significant at 10%.*

Table 2 presents Levene's test on the equality of variances for whistle blowing policy and prevention of fraud among the 3 tiers of government in Nigeria. Three questions were used in the analyses which represent the variables as shown in the table above. The results shows that the F statistics values of 5.923; 5.218 and 4.072 at 0.051, 0.062, and 0.090 values of significant indicated that organizations that do not have whistle blowing policy are vulnerable to fraud. The result suggested that whistle blowing policy impact positively on fraud preventing and detection respectively are significant at 10% level. The result further revealed that whistleblowing policy have significant impact on fraud prevention in Nigeria.

5. CONCLUSION AND RECOMMENDATIONS

The paper examines the implementation of whistle blowing policy and its impact on fraud prevention among the three tiers of government in Nigeria. Base on the above findings, the paper concluded that organizations that do not have whistle blowing policy are vulnerable to fraud. The paper therefore recommends full implementation of whistle blowing policy most especially by state and local government parastatals. The study further recommends that, fraud prevention agencies such as, EFCC, ICPC and other relevant bodies to create awareness on the advantages and impact of whistle blowing policy on fraud detection and prevention.

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APPENDICES

Appendix I

Notes

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Missing Value Handling	Definition of Missing	User defined missing values are treated as missing.
	Cases Used	Statistics for each analysis are based on the cases with no missing or out-of-range data for any variable in the analysis.
Syntax		T-TEST GROUPS=TOG(1 3) /MISSING=ANALYSIS /VARIABLES=WBI WBF OWB WBIPF /CRITERIA=CI(.95).
Resources	Processor Time	00:00:00.02
	Elapsed Time	00:00:00.02

Appendix II

	Levene's Test for Equality of Variances	
	F	Sig.
Whistle blowing implementation	5.145	.064
Whistle blowing aims to prevent fraud	5.923	.051
Organizations that do not have whistle blowing policy are vulnerable to fraud	5.218	.062
Whistle blowing policy impact positively on fraud prevention and detection	4.072	.090

Appendix III

QUESTIONNAIRE

USMANU DANFODIYO UNIVERSITY SIKOTO (UDUS)

Department of Accounting, Faculty of Management Sciences

Dear Respondent,

Research Questionnaire

Thank you for taking time to voluntarily participate in this survey. I am currently conducting research, titled “Whistle-blowing Policy and Fraud Prevention in Nigeria”

You are assured that all information supplied will be used strictly for research purpose.

Thank you.

Yours faithfully,

Sani Idris

The Questionnaire

This questionnaire is categorized into two different sections (A&B). Section A is on respondents bio-data, whereas the second section contains twenty (20) different questions on the main focus of the research as detailed below:

INSTRUCTION: please tick in the boxes provided where applicable or where necessary give the information required.

SECTION A: PERSONAL DATA

- 1. Sex: A. Male [] B. Female []
- 2. Age Group: A. 20-30 [] B. 30 and above[]
- 3. Educational Quantification: A. OND/NCE [] B. HND/BSC [] C. M.Sc./M.A./PhD[] D. Other []
- 4. Ownership of the Institution: A. Federal [] B. State [] C. Local Government [] D. Others, specify.....
- 5. How long have you been in the service?.....years
- 6. How many employees are there in your organization? A. 0-50 [] B. 50-100 [] C. Above 100 []
- 7. What is your position in the organization> A. Junior [] B. Middle [] C. Senior []

SECTION BI: GENERAL QUESTIONS

- 1. Fraud is a general phenomenon which exists in almost every organization.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
- 2. The incidence of fraud affects the management and workers of the organization.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
- 3. There is a relationship between fraud and organizational failures.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree

4. Most fraudulent activities that lead to organization failures are done by insiders;
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
5. Most of times employees refuse to report fraudulent activities when they occur.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
7. There is a significant relationship between frequent occurrence of fraud and loss of confidence in organizations.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
8. Most times, organizations lose staff and confidence due to a fraud committed
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
9. Fraud is an intentional mistake to gain undue advantage
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree
10. Prevention of fraud has a direct relationship to whistle blowing.
 - a) Strongly agree
 - b) Agree

- c) Undecided
- d) Disagree
- e) Strongly Disagree

11. Fraud is a preventable phenomenon

- a) Strongly agree
- b) Agree
- c) Undecided
- d) Disagree
- e) Strongly Disagree

SECTION 'BII'

1. Whistle-blowing policy aims to prevent the occurrence of fraud in an organization

- a) Strongly agree
- b) Agree
- c) Undecided
- d) Disagree
- e) Strongly Disagree

2. Organization that do not have whistle-blowing policy are vulnerable to fraud

- a) Strongly agree
- b) Agree
- c) Undecided
- d) Disagree
- e) Strongly Disagree

3. Are you willing to confront wrongdoing you observe, by blowing the whistle?

- a) Strongly agree
- b) Agree
- c) Undecided
- d) Disagree
- e) Strongly Disagree

4. Whistle-blowing policy impact positively on fraud prevention and detection

- a) Strongly agree
- b) Agree
- c) Undecided
- d) Disagree
- e) Strongly Disagree

5. With the use of whistle-blowing policy prevention of fraud becomes easier
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree

6. Whistle-blowing policy assist management in addressing strategic accounting and financial accounting challenges.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree

7. Legal strategies should be put in place in all areas of organizational operations to address fraud.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree

8. Whistle-blowing policy should be applied in all tiers of government.
 - a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly Disagree

9. It should be made a policy that all government organizations should have a Whistle-blowing department.

10. Any other comment

Thank you for your time.