



الجامعة الإسلامية العالمية ماليزيا
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA
يُونِيسْتِي إِسْلَام، أَنْتَارَا بَحْسَا مَلِيسِيَا

IIUM WHISTLEBLOWER PROTECTION POLICY (IWPP)

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IIUM WHISTLEBLOWER PROTECTION POLICY (IWPP)

In exercise of the powers conferred by Article 5 (1) of the Constitution of International Islamic University Malaysia and in the spirit of the Whistleblower Protection Act 2010 (the Act), the Board of Governors (BOG) of International Islamic University Malaysia (the University) makes this policy.

PART 1 - General

OVERVIEW

1. The University is committed to a culture of integrity and accountability and systems that support transparency in decision-making, good governance and ethical behaviour.

This Policy supports the disclosure by individuals of wrongdoing occurring within the University so that appropriate actions can be taken. The University shall treat all information disclosed in a confidential manner (so far as the circumstances permit), conduct a fair and objective investigation and take appropriate remedial steps or notify relevant authorities.

THE UNIVERSITY'S ATTITUDE TOWARDS WRONGDOING AND DISCLOSURE

2. The University shall not tolerate any wrongdoing committed by the staff and/or any person associated with the University.

The University is committed to:

- i. operate with the highest legal and ethical standards;
- ii. support and protect persons who make disclosures under this Policy;
- iii. conduct investigations in a fair and objective manner;

- iv. inform persons who make disclosures under this Policy of the progress and outcome of any investigation;
- v. take disciplinary action against any person found to have engaged in wrongdoing and, where appropriate, notifying the relevant authorities;
- vi. take all appropriate action to rectify any wrongdoing.

The University recognizes that staff, students or members of the public who disclose wrongdoing in the University may rely on protections under this IWPP or under the Act in making a disclosure.

PART 2 - Preliminary

POLICY STATEMENT

3. The IIUM Whistleblower Protection Policy (IWPP) are the procedures of voluntary act applicable to staff, students and members of the public to disclose/report any improper conduct which may constitute a disciplinary offence or a criminal offence committed or about to be committed by a staff and/or any person associated with the University.

Whistleblowing is a disclosure/report by a person regarding any mismanagement, corruption, illegality, or any other wrongdoing carried out by any staff of the University.

EFFECTIVE DATE

4. This IIUM Whistleblower Protection Policy shall take effect from the date of the BOG approval i.e. 1st October 2018.

DEFINITIONS

“BOG” means the Board of Governors of the University.

“Disciplinary Authority” means the Rector and Staff Disciplinary Committee shall have the disciplinary powers as constituted under Article 45 and 46 of the Constitution of International Islamic University Malaysia.

“Investigation Committee” means the Committee appointed by the Rector to undertake the necessary investigation of any disclosure/report on improper conduct.

“Rector” means the Rector of the University who is appointed under Article 27 of the Constitution of International Islamic University Malaysia.

“Secretariat” means an office that is authorized and responsible for managing all whistleblowing cases reported to it.

“Designated officer” means any officer appointed by the Rector and authorized to receive the complaint from the whistleblower.

“University” means the International Islamic University Malaysia as constituted and established under Section 5A of the Universities and University Colleges (Amendment) Act, 1983.

“Whistleblower” means an identified person who makes a disclosure/report against a staff and/or any person associated with the University on alleged improper conduct.

PART 3 – IIUM Whistleblower Protection Policy (IWPP)

PURPOSE

- 6.1 The IWPP serves to encourage staff, students or members of the public to disclose (whistleblow) any improper conduct which has come to their knowledge and to provide protection for staff, students and members of the public who report allegations of improper conduct.
- 6.2 The University is committed to high standards of ethical and accountable conduct in its operations and does not tolerate any wrongdoing.

SCOPE OF IWPP

- 7.1 IWPP is established to assist staff, students or members of the public to disclose any improper conduct and to ensure that such disclosures and/or reports are investigated and necessary action are taken through the Secretariat. Such improper conduct also includes but is not limited to the following:
- a. outside employment without authorization
 - b. failure to disclose interest
 - c. abuse of power
 - d. financial losses to the University
 - e. fraud
 - f. gaming, wagering etc
 - g. bribery
 - h. publication of confidential / classified document
 - i. theft
 - j. sexual harassment
 - k. noncompliance with procedures
- 7.2 This policy is not to invalidate IIUM Remedial Grievance System and/or Disciplinary action process, but to provide optional avenues for the University community and members of the public to disclose improper conduct (as defined under the WPA 2010) committed or about to be committed to the University.
- 7.3 The given procedures as reflected in the IIUM Staff Handbook, IIUM Code of Ethics, Students' Discipline Rules 2004 (Amendment 2006) and Staff Disciplinary Rules 2015 shall be operative based on the purpose and objective of their existence.

APPLICATION

8. The whistleblower covered by the IWPP includes staff, students and members of the public.

PROTECTION

- 9.1 The Whistleblower is entitled to the following:
 - i. protection of confidentiality of identity;
 - ii. protection against any adverse / detrimental actions;
 - iii. protection against management harassment and unfair dismissal.
- 9.2 Such protection is granted even if the investigation findings reveal that the whistleblower is mistaken as to the facts and regulations involved.
- 9.3 Under this IWPP, provided that the disclosure made is in good faith, the identity of a whistleblower shall be protected by the University.
- 9.4 This protection will be revoked if a Whistleblower gives a false report in bad faith.
- 9.5 On the other hand, if a member of public lodges *mala fide* report, the University may consider lodging a police report and/or take other necessary actions deemed appropriate.
- 9.6 If the University fails to accord the necessary protection of a whistleblower, disciplinary action shall be taken against the responsible officer in accordance with the staff disciplinary rules.

CONFIDENTIALITY

10. All disclosures will be treated in a confidential manner and shall only be disclosed to those officers who are in charge of the matters. The identity of the Whistleblower shall always be protected in any situation.

ANONYMOUS REPORT

11. Any anonymous disclosure will not be entertained. Any staff, students or members of the public who wish to report improper conduct is required to disclose their identities to the designated officer in order to accord the necessary protection to him.

PART 4 – Procedure of IWPP

PROCEDURE IN MAKING DISCLOSURE

12. All disclosures are to be channeled in accordance with the procedures as provided under this policy.

REPORTING CHANNELS

- 13.1 Disclosures shall be made in person to the designated officer.
- 13.2 All disclosures are to be reported in accordance with the procedures provided under the IWPP. All disclosures are encouraged to be reported via the provided format in ensuring all relevant information is enclosed.
- 13.3 Any other channel of reporting will not be entertained.

RESPONSIBLE OFFICER

- 14.1 The officer in charge of integrity matters is solely authorized to administer and coordinate all progress of whistleblowing cases reported to it.
- 14.2 The officer in charge of integrity matters will be responsible in monitoring and reporting all cases investigated pursuant to IWPP to the Rector. The identity of the whistleblower shall be kept in strict confidence.
- 14.3 In the event a report has been made against the Rector, the complaint shall be submitted to the BOG for deliberation.
- 14.4 In the event a report has been made against any Secretariat, the complaint shall be handled by the Rector or any person appointed by the Rector in order to prevent any conflicts of interest or biases in the said investigation.

INVESTIGATION COMMITTEE

15.1 The Rector shall appoint the Investigation Committee in accordance with Article 28 (2) and Article 58 (1) of the Constitution of International Islamic University Malaysia comprising the following permanent members:

- | | |
|--|-------------------|
| i. BOG member; | - <i>Chairman</i> |
| ii. Campus Director, IIUM Kuantan Campus; | - <i>Deputy</i> |
| iii. Executive Director, Management Services Division | - <i>Member</i> |
| iv. Director, Office of Internal Audit; | - <i>Member</i> |
| v. Director, Student Affairs and Development Division; | - <i>Member</i> |
| vi. Legal Officer; | - <i>Member</i> |

15.2 The Rector may appoint on case by case basis any other person who may have related expertise or information in relation to specific case.

15.3 The Investigation Committee is responsible to coordinate initial assessment and to undertake the investigation of any disclosure/report made by the whistleblower.

15.4 The Investigation Committee shall have the authority on the following:

- i. access to all records, facilities and premises within the scope of the investigation;
- ii. meet with the parties involved (other than the whistleblower);
- iii. if necessary, request the Disciplinary Authority to temporarily suspend him/her from duty to allow the Investigation Committee to examine the issue thoroughly.

15.5 Upon completion of the investigation, the Investigation Committee shall submit a report on the findings and recommendation to the Legal Adviser, for decision on the next course of action.

CONTENT OF DISCLOSURE

16.1 The reported disclosure must contain the following:

- i. details of the alleged person;
- ii. details of the improper conduct i.e. nature of improper conduct;
- iii. supporting evidence (if any).

16.2 Any other information (if relevant).

NOTIFICATION OF OUTCOME

17. The Whistleblower will be notified within three (3) months or any reasonable time on the case to case basis on the outcome of the reported disclosure.