



الجامعة الإسلامية العالمية ماليزيا
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA
يُونِيسْتِي إِسْلَام، اِنْتَارَا بَحْسَابَا مَلِيسِيَا

IIUM WHISTLEBLOWER PROTECTION POLICY (IWPP)

Summary of Content

No.	TITLE	PAGE
	PART 1 – General	
1	Overview	2
2	The University's Position towards Wrongdoing and Disclosure	2
	PART 2 – Preliminary	
3	Policy Statement	3
4	Effective Date	3
5	Definitions	3
	PART 3 – IIUM Whistleblower Protection Policy (IWPP)	
6	Purpose	4
7	Scope of IWPP	5
8	Application	5
9	Protection	6
10	Confidentiality	6
11	Anonymous Report	6
	PART 4 – Procedure of IWPP	
12	Procedure in Making Disclosure	7
13	Reporting Channels	7
14	Investigating Committee	7
15	Content of Disclosure	8
16	Notification of Outcome	9

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 POSITION 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 ethical, legal, professional standards and best practice;
- 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. 22nd February 2022.

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.

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

“Person associated with the University” include the student, staff, and persons who perform services for and on behalf of the University.

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

“Secretariat” means Office of the Ombudsman.

“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. non-compliance with procedures
- 7.2 This policy is an avenue complementing IIUM Remedial Grievance System and/or Disciplinary action process, which provides for the University community and members of the public to disclose improper conduct (as defined under the Whistleblower Protection Act 2010) committed or about to be committed to the University.
- 7.3 The existing University rules and regulations 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

- 10.1 The identity of the Whistleblower shall be in the knowledge of the Ombudsman only and shall always be protected in any situation.
- 10.2 The identity of the Whistleblower shall be encrypted and all disclosures will be treated in a confidential manner. The relevant information shall only be disclosed to those officers who are in charge of the matters.

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 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 Ombudsman.
- 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.
- 13.4 Upon receipt of the disclosure/report from the Whistleblower, the Ombudsman shall forward it to the Investigating Committee.

INVESTIGATING COMMITTEE

- 14.1 The Chairman of BOG shall appoint the Investigating Committee in accordance with 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> |

- 14.2 The Chairman of Investigating Committee shall appoint any senior staff of the University to be the Secretary of the Investigating Committee. The Secretary will be assisted by the Secretariat.

- 14.3 The Chairman of Investigating Committee may appoint on case-by-case basis any other person who may have related expertise or information in relation to specific case.
- 14.4 The Investigating Committee is responsible to coordinate initial assessment and to undertake the investigation of any disclosure/report made by the Whistleblower.
- 14.5 The Investigating Committee shall have the authority on the following:
- 14.5.1 access to all records, facilities and premises within the scope of the investigation;
 - 14.5.2 meet with the parties involved (other than the Whistleblower);
 - 14.5.3 if necessary, request the Disciplinary Authority to temporarily suspend him/her from duty/study to allow the Investigating Committee to examine the issue thoroughly.
- 14.6 The quorum at any meeting of the Investigating Committee shall be three members including the Chairman.
- 14.7 Whenever there is a tie, the Chairman shall have the casting vote.
- 14.8 Upon completion of the investigation, the Investigating Committee shall submit a report on the findings and recommendation to the Rector, for decision on the next course of action.
- 14.9 In the event a report has been made against the Rector, the Investigating Committee upon completion of the investigation shall submit a report on the findings and recommendation to the BOG for decision on the next course of action.

CONTENT OF DISCLOSURE

- 15.1 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).
- 15.1 Any other information (if relevant).

NOTIFICATION OF OUTCOME

16. The Ombudsman shall notify the Whistleblower on the outcome within three (3) months from the date of reported disclosure or any reasonable time on the case-by-case basis.