

## **WHISTLEBLOWING POLICY**

### **NUS policies adopted and adapted by Yale-NUS College**

#### **Introduction**

1. The University and Yale-NUS College (the College) are not-for-profit organizations that rely largely on public funding and support from other agencies and stakeholders to achieve our goals and mission. Being institutions of higher learning, the University and College have the added responsibility of ensuring all faculty/staff uphold a standard of integrity to maintain the trust and confidence our students and their parents have in our ability to deliver the best programs to them. Thus, the University and College are committed to steward our resources responsibly by maintaining an ethical culture, one of integrity and compliance with laws, regulations and standards.
2. In line with the above commitment, this Policy is intended to provide:
  - a. information to the general public and the College and NUS communities on the scope and purpose of whistleblowing and information on how to report misconduct
  - b. guidelines to the College Governing Board, Audit Committee, and College Leadership on how to manage and investigate a reported whistleblowing case.
3. This policy and the investigatory procedures apply to all College Staff. For any faculty Whistleblowing cases, the Whistleblowing Policy will apply to faculty only to the extent that this policy is not inconsistent with the College Faculty Handbook. Any faculty cases which could result in disciplinary action will be referred to the Faculty Disciplinary Procedures in the College Faculty Handbook.
4. Any member of the public, NUS and College community can be a Whistleblower. Disciplinary procedures for College students are found in the Yale-NUS College student policies and procedures: <http://studentlife.yale-nus.edu.sg/policies/>
5. The College has adopted the University's Whistleblowing policies and adapted them by amending some of the processes in the NUS policies. These amendments better align the NUS Whistleblowing policy with the College organisation and governance structures.
6. College Leadership refers to the College President, Executive Vice-President (Administration) (EVP (Admin)) and Executive Vice-President (Academic Affairs) (EVP (Academic)).

## Objectives

7. The objectives of the Policy are to:
  - (a) help develop a culture of openness, accountability and integrity;
  - (b) provide avenues for the reporting of concerns confidentially and define a way to handle these concerns;
  - (c) enable the College Leadership and the Yale-NUS Board to be informed at an early stage about acts of misconduct;
  - (d) outline the responsibilities and parameters for protection of the Whistleblower, all parties involved in a Whistleblowing case; and
  - (e) assure that allegations against College staff and faculty are expeditiously and thoroughly investigated to preserve the reputation of staff and faculty who may have been inappropriately alleged of wrongdoings. For faculty, investigations will be handled in accordance with the College Faculty Handbook, as noted in section 3 of this policy.

## Scope

8. The Policy covers, but is not limited, to the following wrongdoings:
  - (a) Illegal activities, unethical and improper practices relating to financial and accounting matters and standards
  - (b) Non-compliance with the College policies and regulations as outlined in the College Faculty and Staff Handbooks
  - (c) Breach of University's Statutes, policies and codes of conduct as they may be applicable to the College
  - (d) Acts of retaliation, namely actions causing harm, intimidation or harassment, as well as discrimination or unfair treatment in relation to employment or career against staff/faculty who have made an allegation or assisted in the investigation of an allegation.
9. The Policy does not cover staff/faculty grievances or complaints such as those relating to University or College policies and procedures involving job performance, employment terms and conditions, speed of claims processing, facilities maintenance standard etc. College staff/faculty should raise such matters through the usual reporting channels.

**For further details on the scope of this policy, please refer to Annex 1.**

## **Reporting Channels and Structure**

10. Any staff/faculty, student, vendor, contractor or member of the general public who notices or is aware of any wrongdoings can lodge a report.

11. The College channels for reporting are:

a. The College Audit Committee Chairman:

All cases involving the College can be reported to the Yale-NUS College Audit Committee. The report can be made via email or in person or in writing in a sealed envelope, signed and marked “Confidential” to:

Yale-NUS College Audit Committee Chairman  
Yale-NUS College,  
6 College Avenue East,  
Singapore 138614

Email: [whistleblowing@yale-nus.edu.sg](mailto:whistleblowing@yale-nus.edu.sg)

**OR:**

b. The NUS Whistleblowing Unit (WBU):

Email: [whistleblow@nus.edu.sg](mailto:whistleblow@nus.edu.sg)

Telephone number: (65) 6516-6209

Fax number: (65) 6774-8355

Postal address:

The report can be made in writing, marked “Confidential,” Attention to Whistleblowing Unit, and sealed in an envelope:

Office of Internal Audit  
University Hall  
Tan Chin Tuan Wing  
UHT #03-01  
21 Lower Kent Ridge Rd  
Singapore 119077

The NUS Whistleblowing Unit is managed by the University’s Office of Internal Audit and the

reporting channels to the Whistleblowing Unit are supported by the University's Office of Human Resources as appropriate.

12. Where wrongdoings covered by the scope of this Policy are reported through channels other than those listed in paragraph 11 such reports shall be forwarded to the Whistleblowing Unit and the College Chairman of the Audit Committee for recording and follow-up.

### **Responsibilities and protection of Whistleblower and all parties involved in the investigation of a Whistleblowing case**

13. The Whistleblower should ensure that all claims of wrongdoings are made in good faith. When making a report, he/she should provide as much details as possible in relation to:
  - (a) What is the alleged act?
  - (b) Who is involved in the act?
  - (c) When and where did it occur?
  - (d) What are the supporting documents and evidence?

The Whistleblower is encouraged to identify himself/herself and provide his/her contact details.

14. All College faculty/staff members are expected to co-operate with investigations and to refrain from disclosing information to others not involved in the investigation; this is true for investigations conducted under the procedures set forth in this policy or, as is the case with faculty, pursuant to the Faculty Handbook.
15. All reports received by the College Audit Committee and the WBU will be treated confidentially. The College Audit Committee will decide whether to maintain the anonymity of the Whistleblower and all other persons involved in the case. The identity of anyone involved in the case will have to be disclosed in the following circumstances:
  - (a) when the College and NUS is under legal obligation to do so; or
  - (b) when providing information to the Police or other authorities for criminal investigations.

In all other circumstances, the Audit Committee will use its discretion to decide whether it is necessary to reveal the identities of the Whistleblower and any others involved in the reported case, such as the person under investigation (the Respondent), witnesses and the investigation team.

For circumstances where their identities are required to be revealed, the relevant people will be informed prior to disclosure.

16. After making a report, the Whistleblower should refrain from further investigation of the incident, confrontation of the accused or further discussion of the incident. If he or she has identified himself/herself, he/she will be contacted by the investigation team (or, if a member of the faculty is under investigation, by the authority designated in the Faculty Handbook to conduct investigations) to provide additional information or clarification, where appropriate.
17. Besides protecting the confidentiality of the information provided by the Whistleblower and his/her identity, the College Audit Committee and Leadership:
  - (a) will not take action against the Whistleblower if the allegations are not confirmed after investigations. However, this is subject to the allegations being made in good faith.
  - (b) will not tolerate retaliatory actions (as defined in paragraph 7(d)) by anyone against the Whistleblower or anyone else involved in the investigation. Reporting of retaliatory acts is covered under the scope of this Policy.
18. In addition, the identity of the Respondent(s) will also be protected and, they will be provided with the facts of the allegations, the opportunity to respond to the allegations and have their defence fairly presented in the final report.

**For further details on responsibilities and protection of the Whistleblower and all other parties involved in the investigation, please see Annex 2.**

### **Investigation Process**

19. The College Audit Committee will review the reports received to determine if there is sufficient evidence to proceed. If a prima facie case is made out, in which the available evidence if true would warrant some form of disciplinary action, the College Audit Committee Chairman will direct the case to College President to pursue for further investigation consistent with the approaches outlined earlier in this policy regarding staff and faculty.

For reports involving a conflict of interest with the College President, and all reports involving College Leadership and above, the College Audit Committee will refer the case to the College Governing Board (GB) immediately.

In situations where a faculty or staff member holding a joint NUS-College appointment is accused of misconduct, the College President and Provost of NUS will consult and determine which institution shall assume jurisdiction over the charges.

20. Once the case is referred to the College President, an investigation team will be set up in the case of staff; investigation will be pursued involving faculty as specified in the Faculty Handbook. College Leadership will determine the composition of the investigation team, the scope and the time-frame for the investigation. The investigation team may engage the assistance of one or more experts/advisors (such as legal counsel, auditors, subject matter experts etc.) and could include individuals outside of the College and NUS if they are subject matter experts and have no conflict of interest with the College and NUS.
21. The responsibilities of the investigation team include:
  - a) Collating information through interviews and other avenues promptly and ensuring that the proceedings are carried out in a legal, fair and unbiased manner.
  - b) Gathering and maintaining the custody of evidence. This may require the Respondent to be temporarily suspended during the investigation. Any suspension will be instituted in accordance with the College's Staff Disciplinary Procedures (for staff).
  - c) Maintaining confidentiality of the information collated and the identities of the persons involved in the investigation.
  - d) Providing the Respondent with details of the allegation and allowing them the opportunity to respond, verbally and in writing.
  - e) Preparing a clear, accurate and unbiased report.

### **Investigation Report**

22. After concluding the investigation, the investigation team will submit a written report to the College Audit Committee Chairman and College President. The report shall include, where possible (for cases involving both faculty and staff, unless these requirements are found to be inconsistent with provisions in the Faculty Handbook):
  - a) The full scope of the allegation(s) including (but not limited to), names and roles of the people involved, and the implicated laws, regulations, policies and procedures;
  - b) Extent of financial and non-financial damages, if any;
  - d) Investigation methodology, sources and findings from the investigation;

- e) Findings arising from the investigation and their sources;
- f) Conclusion(s) drawn, i.e. whether the allegation is true, false or non- conclusive, based on a reasonable assessment of the evidence;
- g) Response of the subject(s) of investigations to the allegation(s) and conclusion(s) if any; and
- h) Recommended actions to be taken to mitigate damages.

The report shall be supported by evidence such as documents, transcripts of interviews, statements or other exhibits obtained during the investigation.

- 23. If the investigation team or the faculty investigator gathered adequate evidence to refute the allegation, the team may recommend closing the case to the College President.
- 24. If disciplinary actions are required, these actions will follow the guidelines in the College's Staff Disciplinary Procedures and the Faculty Handbook.

#### **Report to the College Audit Committee**

- 25. The EVP (Admin) and/or the EVP (Academic) will submit a quarterly update on all reported, ongoing and completed cases and investigations to the College Audit Committee, including those investigated by the WBU which involve College faculty or staff. The report on the status of all Whistleblowing cases will be a set agenda item for all Audit Committee meetings.
- 26. At the request of the College Audit Committee Chairman, details of specific cases may also be presented at the College Audit Committee meeting for information and discussion.

#### **Retention of Records**

- 27. The WBU and the College Audit Committee will maintain a log of all reported allegations and concerns, tracking their receipt, investigation and resolution.
- 28. A log of all allegations/concerns reported to the College and/or the WBU which involve College staff/faculty should be maintained by the College. Originals of all investigation reports and their supporting documents and records shall be retained by College Internal Audit in accordance with the College's document retention policies and procedures.

## **Enquiries**

For clarifications and enquiries, faculty/staff can contact College Human Resources.

## **Policy review and revisions**

29. This Policy replaces the College's Whistleblowing Policy which was implemented in May 2013. The Whistleblowing Policy will be reviewed periodically by College Human Resources and College Internal Audit. Yale-NUS College may exercise its discretion concerning the adoption and adaption of such revisions to the NUS Whistleblowing and related policies, in accordance with the process set out in the College Staff and Faculty Handbooks.

**Whistleblowing Policy: Annex 1**

This annex includes details for section 7 (a-c) of the NUS Whistleblowing Policy, adapted and adopted by Yale-NUS College.

7. The Policy covers, but is not limited, to the following wrongdoings:
  - (a) Illegal activities, unethical and improper practices relating to financial and accounting matters and standards, which may include:
    - i) Falsification, forgery or fraudulent alteration of documents (cheques, bank drafts, contractual agreements, purchase orders, invoices, etc.) or data such as financial, operational and computer data and submission of fictitious documents.
    - ii) Misappropriations/improprieties in the handling of funds, securities (investments in bonds, stock & shares and deposits, etc.), supplies, or any other assets.
    - iii) Questionable accounting practices.
    - iv) Corruption and bribery.
    - v) Theft and other dishonest acts.
  - (b) Non-compliance with the College policies and regulations as outlined in the College Faculty and Staff Handbooks
  - (c) Breach of University and College Statutes, policies and codes of conduct such as:
    - i) Abuse of University/College's resources (e.g. equipment, manpower, material, etc.) and/or authority for personal benefits.
    - ii) Disclosure of confidential information to outside parties.
    - iii) Profiteering as a result of insider information.
    - iv) Breach of safety or health standards.
    - v) Intimidation or harassment of others during the course of work.
    - vi) Conflict of interest without disclosure.
    - vii) Academic dishonesty,

## Whistleblowing Policy: Annex 2

The following section is extracted from NUS' Whistleblowing Policy was adopted and adapted by the College (sections 13-18 in the College policy). The paragraphs below provide further details which were outlined in the NUS policy.

### Responsibilities of Whistleblower

9. The Whistleblower should ensure that all claims of wrongdoings are made in good faith. When making a report, he/she should provide as much details as possible in relation to:
  - (e) What is the alleged act?
  - (f) Who is involved in the act?
  - (g) When and where did it occur?
  - (h) What are the supporting documents and evidence?
  
10. The Whistleblower is encouraged to identify himself/herself and provide his/her contact details. In the case where the Whistleblower is an NUS or College staff/faculty member and he/she wishes to remain anonymous, he/she may make a report with his/her supervisor or another staff/faculty member whom he/she trusts, who in turn reports it through the dedicated channels while keeping the Whistleblower's identity anonymous where possible. Concerns raised anonymously are much less persuasive and may hinder investigation work as it is difficult to look into the matter or to protect the Whistleblower's position. Accordingly, consideration will be given to these factors:
  - (a) Severity of issue raised.
  - (b) Credibility of the concern or information.
  - (c) Likelihood of confirming the concern or information from attributable sources.
  
11. After making a report, the Whistleblower should refrain from further investigation of the incident, confrontation of the accused or further discussion of the incident. If he or she has identified himself/herself, he/she will be contacted by the investigation team to provide additional information or clarification, where appropriate.

## **Protection of the Whistleblower, Persons involved in the Investigation and Persons who are Subjects of Investigation**

12. All reports received will be treated confidentially. To protect the confidentiality of the information provided and identities of the Whistleblower and subject(s) of investigation, the number of faculty/staff members involved in the investigation will be kept to the minimum possible. Their identities will only be disclosed in the following circumstances:

- (a) When the College and University is under legal obligation to do so; or
- (b) When providing information to the Police or other authorities for criminal investigations.

For other circumstances where their identities are required to be revealed, the Whistleblowers will be informed prior to disclosure.

13. Besides protecting the confidentiality of the information provided by the Whistleblower and his/her identity, the College:

- (a) will not take action against the Whistleblower if the allegations could not be confirmed after investigations. However, this is subject to the allegations being made in good faith. If the allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken against the Whistleblower in accordance with the College's [Staff Disciplinary Procedures and Sanctions](#) in cases where the Whistleblower is an College faculty/staff member. Blowing the whistle also does not lessen the guilt or liability of a Whistleblower if he/she is involved in the wrongdoings.
- (b) will not tolerate retaliatory actions (as defined in paragraph 7(d)) by anyone against the Whistleblower or any person who has provided information or assisted in the investigation of the reported incidents. Reporting of retaliatory acts is covered under the scope of this Policy.

14. In addition, the identity of the subject(s) of investigation will also be protected and they will be provided with the facts of the allegations, the opportunity to respond to the allegations and have their defence fairly presented in the final report.