

WHISTLEBLOWING POLICY

NUS policies adopted and adapted by Yale-NUS College

Introduction

1. Yale-NUS College is a not-for-profit organisation that relies largely on public funding and support from other agencies and stakeholders to achieve our goals and mission. Being an institution of higher learning, the College has the added responsibility of ensuring all faculty and 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 programmes to them. Thus, the College is committed to steward our resources responsibly by maintaining an ethical culture, one of integrity and compliance with laws, regulations and standards.

Faculty¹ are referenced in this policy where it applies specifically to them. Otherwise both Faculty and Executive & Administrative (E&A) staff shall be referred to as staff members.

2. In line with the above commitment, this Policy is intended to provide a channel for the reporting of actual or suspected wrongdoings committed by any College staff member and contractors for investigation and corrective action as well as assurance that the whistleblower will be protected from reprisals for whistleblowing in good faith.

Objectives

3. 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 Governing Board to be informed at an early stage about acts of misconduct;
 - (d) reassure the whistleblower that he/she will be protected from punishment or unfair treatment for disclosing concerns in good faith in accordance with this procedure; and
 - (e) assure that allegations against College staff member are expeditiously and thoroughly investigated to preserve the reputation of staff member who may have been inappropriately alleged of wrongdoings.

Scope

4. 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:

¹ Faculty are defined as staff members who are appointed:

1. On the academic appointment schemes – Tenure Track; Research Track; and Education Track
2. Under the Visiting Appointment Schemes; and
3. On a part-time basis under the Adjunct Appointment or Part-time Teaching Appointment Scheme

- i) Falsification, forgery or fraudulent alterations 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 laws and regulations.
- (c) Breach of University/College's 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.
- (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 members who have made an allegation or assisted in the investigation of an allegation.
5. The Policy does not cover staff member grievances or complaints such as those relating to College policies and procedures involving job performance, employment terms and conditions, speed of claims processing, facilities maintenance standard etc. College staff members should raise such matters through the usual reporting channels.

Reporting Channels and Structure

6. Any staff member, student, vendor, contractor or member of the general public who notices or is aware of any wrongdoings can lodge a report.
7. All cases involving College staff members and or contracts can be reported to the Yale-NUS College Audit and Risk Committee. The report can be made via email or in person or in writing in a sealed envelope, signed and marked "Confidential" to:

Chair of the Yale-NUS College Audit and Risk Committee
Yale-NUS College
16 College Avenue West #01-220, Singapore 138527
Email: whistleblowing@yale-nus.edu.sg

The Yale-NUS College Whistleblowing Policy is managed by the Office of the Executive Vice President, Administration, under the supervision of the Chair of the Audit and Risk Committee. The reporting channels for whistleblowing are supported by the College's Office of Human Resources as appropriate.

8. Where wrongdoings covered by the scope of this Policy are reported through channels other than the one specified in paragraph 7, such reports shall be forwarded to the College's Executive Vice President, Administration and the College's Chair of the Audit and Risk Committee for recording and follow-up.

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:
 - (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?
10. The whistleblower is encouraged to identify himself/herself and provide his/her contact details. In the case where the whistleblower is a College staff member and he/she wishes to remain anonymous, he/she may make a report with his/her supervisor or another staff 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 staff members involved in the investigation will be kept to the minimum possible. The identities will only be disclosed, and with prior notification when permitted by relevant authorities, in the following circumstances:

- (a) when the College 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 relevant parties will also be informed prior to disclosure.

13. Besides protecting the confidentiality of the information provided by the whistleblower and his/her identity, the College Audit and Risk Committee and Leadership:

- (a) will not act against the whistleblower if the allegations are not 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 Policy in cases where the whistleblower is an College staff member. Reporting 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 4(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 the investigation will also be protected and where appropriate, they will be provided with all the facts of the allegations, the opportunity to respond to the allegations and have their defence fairly presented in the final report.

Investigation Process and Reporting

The College Audit and Risk Committee will review the reports received to determine if there is sufficient evidence to proceed, particularly in situations of anonymous reporting. If a *prima facie* case is made out, the Committee will direct the case to the relevant office for investigation as follows:

S/N	Classification of cases	Relevant Office
1	Misconduct, illegal activities, unethical and improper practices relating to financial and accounting matters and standards covered by the <u>Procedures for Investigation into Fraud, Misappropriation or Corruption under the Whistleblowing Policy</u>	Executive Vice President , Administration
2	All other cases of misconduct which do not fall within the preceding classifications	In accordance with the College's Staff Disciplinary Procedures and Sanctions Policy

For reports involving the College President, and all reports involving College Senior Leadership and above, fraud, misappropriation or corruption will be reported by the College Audit and Risk Committee Chair to the College Governing Board Executive Committee immediately.

In situations where a 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.

15. For cases to be investigated by the Office of the Executive Vice President, Administration, the Executive Vice President, Administration, in consultation with the Chair of the Audit and Risk Committee, will determine the composition of the investigation team, the timeframe and the scope of the investigation. The Executive Vice President, Administration may in his/her/their discretion engage the assistance of one or more experts/advisors (such as legal counsel, auditors, subject matter experts etc.) to assist in the investigation or analysis of the results. All staff members are expected to co-operate with investigations and to refrain from disclosing information to others not involved in the investigation.
16. The imposition of disciplinary sanctions, conveyance of such sanctions and appeals against sanctions will be dealt with in accordance with the College's Staff Disciplinary Procedures and Sanctions Policy.

Policy review and revisions

17. The Whistleblowing Policy will be reviewed periodically by the Audit and Risk Committee. Yale-NUS College will exercise its discretion concerning the adoption and adaption of revisions to the NUS Whistleblowing and related policies, in accordance with the process set out in the College Staff and Faculty Handbooks.