

## **WHISTLERBLOWERS POLICY IN UNIVERSITI MALAYA**

### **1. POLICY STATEMENT**

- (1) Universiti Malaya (UM) is committed to establishing an efficient, disciplined, and high-integrity administration across all levels of the University, in line with the trust and authority entrusted to serve the public interest.
- (2) In line with this commitment and to sustain a culture of integrity, UM is open to receiving complaints or information from any party regarding any misconduct or Improper Behavior that occurs within UM.
- (3) UM is also committed to protecting individuals who come forward with information, ensuring they are safeguarded from any retaliation for providing such information.

### **2. TERMINOLOGY**

- (1) “Whistleblower” means any party that makes a disclosure or provides information regarding misconduct or Improper Behavior to UM;
- (2) “Improper Behavior” means any conduct that, if proven, could constitute a disciplinary offense or a criminal offense, including but not limited to abuse of power, illegal acts against the law, injustice, breach of procedure, unethical conduct, conflict of interest, concealment or deception, or any attempt to conceal or deceive a fact/information;
- (3) “Confidential information” includes:
  - (a) Information about the identity, employment, residential address, workplace, or location of a Whistleblower or the person being reported;
  - (b) Information disclosed by a Whistleblower; and
  - (c) Information that, if disclosed, could cause harm to any person.

### **3. PROCEDURE FOR PROVIDING / DISCLOSING INFORMATION**

- (1) Any party that has reasonable grounds to believe that:
  - (a) There has been an ethical breach related to misconduct or Improper Behavior committed by a University staff member or student; or
  - (b) There has been an ethical breach related to misconduct or Improper Behavior involving UM,

may file a formal written complaint through the following mediums:

- (i) Filling out the designated Complaint Form (Google Form) (available on the UM website);
- (ii) Via email to the official email of the Integrity Unit (integrity@um.edu.my);  
or
- (iii) Through the complaint management system used by Universiti Malaya.

and should provide as much information and evidence as possible to ensure that the matter can be investigated properly and fairly.

- (2) Any complaint received will be investigated according to the investigation procedures outlined in **Appendix B1** and based on the principle of presumption of innocence. Investigations will be conducted confidentially, adhering to the principles of secrecy and sensitivity among all parties involved.
- (3) To enable the complaint or information submitted to be taken more seriously, Whistleblowers are encouraged to provide their personal information (especially name, phone number, and email). The effectiveness of the investigation may be limited if the Whistleblower chooses not to disclose or be identified.

#### 4. PROTECTION FOR WHISTLEBLOWERS / DISCLOSURE OF INFORMATION

(1) Whistleblowers and their confidential information will be kept confidential and will be provided protection as follows:

(a) Protection of confidential information:

(i) Any party that receives or obtains a disclosure of confidential information, in the course of its investigation into that disclosure, must not disclose that confidential information, or any part of it, to any party not involved in the investigation; and

(ii) If any document that serves as evidence or may be examined in any investigation contains any records that describe or may lead to the identity of the Whistleblower, the investigating party shall ensure that such references are hidden from view or deleted to the extent necessary to protect the identity of the Whistleblower.

(b) Whistleblowers (provided that the Whistleblower is a staff member or student of UM only) will be protected from any retaliation, discrimination, or any action that may harm them, including but not limited to termination of employment, dismissal, denial of promotion, blacklisting, denial of overtime work rights, disciplinary action, failure of reinstatement to work, and assignment of duties affecting promotion prospects and/or salary reduction and/or performance evaluation. However, regardless of the forms of protection provided to the Whistleblower as stated in this policy, UM does not promise the same protection to any parties outside its jurisdiction.

(2) The protection granted to Whistleblowers as in paragraph 4(1) shall be deemed void if UM believes or finds that:

(a) The Whistleblower has themselves participated in or conspired in the disclosed Improper Behavior;

(b) The Whistleblower makes a material statement in their disclosure that they either knowingly or believe to be false;

(c) The disclosure made by the Whistleblower is frivolous or vexatious;

(d) The disclosure made by the Whistleblower questions the merits of any UM policy; or

(e) The disclosure made by the Whistleblower is made solely or largely with the motive to avoid being subjected to any disciplinary action or disciplinary proceedings.

**5. ACTION AGAINST THE PROVISION / DISCLOSURE OF FALSE INFORMATION**

UM may take disciplinary action or other appropriate measures against the Whistleblower if it is found that the Whistleblower intentionally made a material statement that they know or believe to be false, frivolous, or malicious against any party.

**6. COMPLAINTS NOT RELATED TO MISCONDUCT OR IMPROPER BEHAVIOUR**

Any complaints that are not related to a specific act of misconduct or Improper Behavior, such as but not limited to complaints regarding personal conflicts, grievances concerning administrative decisions, grievances regarding the terms and conditions of service, workplace pressure that does not involve public interest, issues related to occupational health and safety, or aspects related to employment relations, shall be handled in accordance with existing procedures and policies related to the matters being complained about.

**7. EFFECTIVE DATE**

- (1) This policy is effective from December 13, 2019; and
- (2) Whistleblowers who have provided or disclosed information before or on the specified effective date shall be deemed to have provided information under this policy.