

WHISTLEBLOWER POLICY



WHISTLE BLOWER POLICY OF IEC UNIVERSITY

Policy statement:

people at IEC University are encouraged to report suspected violations of law or University policy to their supervisor, to pro vice chancellor, to Dean, at head office or at compliance hotline. The University will protect from retaliation members of the IEC who make good faith reports of suspected violations of law or University policy.

Reasons for Policy:

The University is obligated to investigate actions undertaken by employees in the performance of their official duties that may be unlawful, improper, or dangerous to the well-being of students, faculty and staff, and to protect those who disclose such actions. This Policy establishes a mechanism for

1. Encouragement of all the people at IEC to report suspected violations of law of IEC Policies Or suspected **Improper Activities***
2. To provide a mechanism for reporting and investigating suspected violations.
3. To reinforce IEC's non retaliation mechanism for any member of the IEC University who in good faith voices concerns, seeks advice, files a complaint or grievance, seeks the aid of Human Resources, testifies or participates in investigations, compliance reviews, proceedings or hearings, or opposes actual or perceived violations of IEC's policy of unlawful acts.

Applicability:

1. To all units of University.
2. All members of the University Community including:
 - a. Faculty, including senior, junior and visiting faculty.
 - b. Other salaried and non salaried academic appointees, including post – doctoral fellows, research fellows, and teaching assistants.
 - c. Staff.
 - d. Students.

- e. Contractors, including independent contractor, external consultants, workers hired through an outside employment agency and workers employed on campus through service vendors.
- f. Official visitors.
- g. Vendors.

The whistleblowers are not investigators or finders of fact, nor do they determine the appropriate corrective or remedial action that may be warranted.

Introduction to the policy:

The IEC University is responsible for the stewardship of University resources and the public and private support that enables it to pursue its mission. The University is fully committed to compliance with all applicable laws and regulations and to promulgating policies, procedures and internal controls to interpret and apply these laws and regulations in the University community. While these policies, procedures and controls are intended to detect and prevent Improper Activities, the University recognizes that not every intentional or unintentional violation of law, regulation, policy or procedure can be identified through administrative safeguards. Accordingly, the University has a responsibility to investigate and, if necessary, act on any report of suspected Improper Activities. The University is also committed to protecting those members of the University community who, in good faith, report suspected Improper Activities to the appropriate authority.

This Policy governs the reporting of suspected Improper Activities and the initiation of investigations into such reports, and outlines the protection afforded to members of the University community who report suspected Improper Activities in accordance with the procedures outlined herein. This Policy does not change the University's responsibility to conduct investigations, but clarifies normal investigatory processes. Individual employee or student grievances and complaints regarding terms and conditions of employment will continue to be reviewed under the applicable academic and staff personnel policies. Any

investigations of Improper Activities that may result in subsequent disciplinary action will be coordinated with applicable conduct and disciplinary policies. In all instances, the University retains the prerogative to determine when circumstances warrant an investigation and, in conformity with applicable laws, policies and regulations, the appropriate investigative process to be employed.

INSIDE THE MIND OF A WHISTLEBLOWER



Improper Activities:

“Improper Activities” is defined as actions or failures to act by University employees in the course of their duties that result in:

1. A violation of State or Central law, rule, or regulation;
2. A serious or substantial violation of University policy or procedure;
3. Fraud;
4. Misappropriation of State resources, including embezzlement;
5. Substantial and specific danger to the public health and safety; or
6. Gross mismanagement, a gross waste of monies, or gross abuse of University.

Reporting Suspected Improper Activities

1. Employees who have reason to suspect Improper Activities should, as soon as possible, report their suspicions verbally or in writing to the reporting employee's immediate supervisor.
2. If the supervisor is involved in the suspected Improper Activities, report shall be made to the supervisor's manager.
3. Students who have reason to suspect Improper Activities should, as soon as possible, report their suspicions verbally or in writing to the Dean.
4. In instances where the person reporting the suspected Improper Activities is not satisfied with the response, the reporting person may contact pro – vice chancellor, vice chancellor or any other official of his office.
5. If a member of the Board Of Management receives a report of or has reason to suspect Improper Activities, he or she should, as soon as possible, report the matter verbally or in writing to the Governing Body.
6. The Governing Body shall then inform the Chancellor and other University officials, as appropriate.
7. If the suspected Improper Activities involve the Chancellor, **reporting could be made directly at head office.**
8. Persons reporting suspected Improper Activities are encouraged to provide as much specific information as possible including names, dates, places, events that took place, the employee's perception of why the incident(s) may constitute Improper Activities.
9. Anonymous written or telephonic communications will be accepted, but such communications must provide sufficient corroborating evidence to justify the commencement of an investigation.
10. Reports of allegations of suspected improper activities are encouraged to be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual rather than speculative or conclusory, and contain as much specific information as possible to allow for proper assessment of the nature, extent and urgency of preliminary investigative procedures.

- 11.** Whistleblowers shall refrain from obtaining evidence for which they do not have a right of access. Such improper access may itself be considered an improper activity.

Investigation Procedures

All University employees in a supervisory role should be aware of and alert to communications, whether formal or informal, that may constitute a report of suspected Improper Activities. Any University employee in a supervisory role receiving a report of suspected Improper Activities must ensure that the matter is promptly reported to his/her supervisor or an appropriate level of University management.

Employees in a supervisory role are charged with exercising appropriate judgment in determining which matters can be reviewed and disposed of under their authority and which matters must be referred to a higher level of management.

Generally, the University's Internal Audit department and Head Office will review and evaluate reports of suspected Improper Activities to determine the appropriate course and scope of review and/or investigation.

All investigations shall be made in accordance with appropriate laws and established procedures within its discipline.

All employees of the University have a duty to co – operate with investigations initiated under this policy.

Whistleblower should be prepared to be interviewed by university investigators, however anonymous whistleblowers shall provide sufficient evidence to justify the commencement of an investigation. An investigation of unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support.

Participants should refrain from discussing or disclosing the investigation or their testimony with anyone not connected to the investigation.

The decision to conduct an investigation is not an accusation, it is to be treated as a neutral fact finding process.

Reasonal opportunity of being heard shall be given to the person against whom the order accusing the conduct of improper activity is passed.

Investigators are generally the persons specifically authorized by the head office for the purpose. The composition changes on rotational basis as and when required. All investigators are independent and unbiased.

Protection from Retaliation

IEC prohibits interference with or retaliation against a member of the University community who reports suspected Improper Activities unless the person making the report knows or has reason to believe that the report is false or inaccurate. Specifically:

1. No University employee exercising direct or indirect supervisory authority may discharge, threaten, harass or otherwise discriminate against another University employee regarding his/her compensation, terms, conditions, location, or privileges of employment because that employee, or a person acting on behalf of the employee, reports or is about to report any suspected Improper Activities.
2. No University employee exercising direct or indirect supervisory authority may discharge, threaten, harass or otherwise discriminate against another University employee regarding his/her compensation,

terms, conditions, location, or privileges of employment because that employee has refused to carry out a directive which in fact constitutes a violation of State or federal law, rule, or regulation or poses a substantial and specific danger to the public health and safety.

3. No University employee may threaten, harass or otherwise discriminate against a student, or take intentional adverse academic action against a student, because that student, or a person acting on behalf of the student, reports or is about to report any suspected Improper Activities.

Reporting Acts of Retaliation

If any person believes that retaliation or interference related to a report of suspected Improper Activities was threatened, attempted or has occurred, that person may file a complaint in accordance with the grievance policy of the University.

Secrecy of Whistleblowers:

IEC follows a mechanism that prevents the disclosure of Identities of Whistleblowers providing them a satisfaction to report any improper activity without a fear of retaliation. However policy encourages employees to put their names to allegations because appropriate follow up questions and investigation may not possible unless source of the information is identified. Protection of whistleblower's identity will be maintained to the extent possible within the legitimate needs of the law and the investigation. Should the whistleblower self disclose his or her identity, the University will no longer obliged to maintain such confidence. Concerns expressed anonymously will be explored appropriately, but consideration will be given to:

1. The seriousness of the issue raised

2. The credibility of the concern and,
3. The likelihood of confirming the allegation from attributable sources.

(*allegation in bad faith may result in disciplinary action)

Any reporting of improper activity could be made directly to head office. However any call or mail shall be supported with necessary evidences to start the investigations.

(*Failure to comply with this Policy or cooperate with any review or investigation initiated hereunder will be deemed a violation of University Policy and subject to disciplinary action)