



MEMORANDUM

TO: Joel Seligman
FROM: Provost's Committee
DATE: February 27, 2013
RE: Reporting of Important Information

Introduction

In any large organization such as the University of Rochester, those in senior administrative positions rely on all members of the community to be alert to issues that are important to the organization but about which supervisors and senior administrators may not be aware. Prompt reporting of important information is critical to the effective operation of the University. Failures to transmit information promptly, such as in the sexual abuse scandal recently uncovered at Penn State, have caused great financial and reputational damage to universities. This document has been prepared to help prevent the kinds of problems that have been damaging elsewhere.

Statement of Principle

The successful operation and good reputation of the University depend on the exercise of good judgment by members of the University community. Good judgment in the reporting of significant information to supervisory or senior personnel is of key importance, since proper management decisions and actions cannot be taken until the material information is known.

Our guiding principle must be:

If you are in doubt about the importance of information, the core principle must always be to communicate it to your supervisor, or another appropriate manager.

Guidelines

It is not always easy to determine what constitutes material or important information that should be reported and when, how, and to whom it should be reported. The remainder of this document deals with these questions. Staff who supervise others are encouraged to make them familiar with these guidelines.

No clear rule defines what information should be conveyed to supervisors and senior administrators. The following list, which is not exhaustive, provides examples of types of information that are presumptively "material," and should be considered reportable:

- Information about a danger to persons or property.

- Information about conduct that violates a law or regulation, or a University policy. The University's Code of Conduct for Business Activities is available at <http://www.rochester.edu/working/codeofconduct/index.html>. The Medical Center's Code of Conduct is posted at <http://www.urmc.rochester.edu/compliance-office/plans-policies/compliance-program/urmc-code-of-conduct.cfm>. The University's Policy Against Discrimination and Harassment is posted at <http://www.rochester.edu/working/hr/policies/pdfpolicies/106.pdf>
- Information about conduct that has an adverse impact on the work environment or the operations of the University.
- Information about misuse of University property or information.
- Information that could lead to potential government or legal action against the University.
- Information the University is required to report and which might adversely affect the University's reputation.
- Information on events about which the University might be approached by the press.
- Information that could have an important adverse financial impact on the University or any of its operating divisions.
- Information that is materially different from that reported to or understood by the Board of Trustees.

Should the information be reported? The decision to report will be influenced by several factors, including:

- Is the information about a situation or event outside your or your supervisor's area of responsibility? You might suppose that the matter would be handled by those who have clear responsibility for it, but what if those responsible do not know about the situation, or are not dealing with it? Unless you know that the issue is being handled properly, you should report it.
- Do you have the authority to act on the information directly, and resolve the issue it represents? Even if you do, it may still be important to report it if:
 - There are unusual aspects of a situation with which you would normally deal.
 - Your supervisor expects to know about issues of the kind identified in the list above.

Put yourself in your supervisor's shoes and ask yourself whether the information is something she/he would want to know.

- Is the information reliable? You might have an understandable reluctance to report incomplete, vague, or potentially unreliable information, and might be inclined to wait until more or better information is available, especially if a report might needlessly invite action from above. In such situations, and particularly if early reporting would enable the University to prepare for adversity, it is better to report, possibly with a recommendation that action await fuller information.

If in doubt, report. You should never decline to report information for fear of reprisal. The University will not tolerate retaliation against any member of the University who reports material information in good faith. We will take reasonable steps to ensure that those to whom you report material information will respond appropriately.

To whom should the information be reported? As the general rule, even for those matters that fall outside your supervisor's sphere of responsibility, you should have an initial discussion with your supervisor (unless your supervisor is the subject of concern). If the information is subject to confidentiality or privacy restrictions (for example Health Insurance Portability and Accountability Act—HIPAA), be sure to indicate this. If your supervisor is not in a position to deal with the matter, she or he should be able to identify the person or office best able to do so.

In the unusual circumstance where you are uncomfortable reporting a matter to your direct supervisor, consider the following options:

- If the issue falls within the responsibilities of the administrative division in which you work, it will usually be best to inform your supervisor's supervisor.
- Consult with management staff in another administrative office, such as University Audit 275-2291 (Salim Alani), University Counsel 275-2758 (Gail Norris), Human Resources 275-8747 (General Contact Number), University Security 275-3333, Environmental Health and Safety 275-8412 (Mark Cavanaugh), and the University Intercessors 275-9125. The University also provides guidance to help resolve job-related issues; see <http://www.urmc.rochester.edu/compliance-office/integrity-hotline/resolving-problems.cfm>.
- Call the Integrity Hotline at (585) 756-8888. Reports may be made confidentially and, if preferred, anonymously. The hotline is available 24 hours a day and is a dedicated outside line without the capability of identifying a caller's telephone number. The hotline is answered by Compliance Office staff from 9 a.m. to 5 p.m., with voice mail for after-hours calls.

You should treat the important information you report with appropriate confidentiality. You should not share sensitive information with University personnel, or others outside the University, who are not in a position to deal with the matter. This could cause harm to the University and can make a sensitive situation worse.

What happens after you report? Your supervisor, or any other person to whom you reported the important information, should get back to you within a reasonable period to confirm that the matter is being addressed. Confidentiality concerns might not permit your supervisor to provide details of how the matter is being addressed.

If you have questions about this Statement of Principle and its Guidelines, please contact any of the following: Peter Lennie (Provost) at 275-5931, Gail Norris (General Counsel) at 275-2758, or Lamar Murphy (Chief of Staff to President and General Secretary) at 276-3262.