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# Enhancing ICANN Accountability – Work Stream 2 (WS2) Recommendation 8.4.7 - Implementation Documentation

Enhancing ICANN Accountability – Work Stream 2 Final Report

<https://www.icann.org/en/system/files/files/ccwg-acct-ws2-final-24jun18-en.pdf>

See <https://www.icann.org/resources/work-stream-2-implementation-en> for more information on Work Stream 2 implementation.

## WS2 – Transparency I Improving ICANN’s Anonymous Hotline (Whistleblower Protection) – Recommendation 8.4.7

### Recommendation 8.4.7

ICANN needs to more effectively address potential fear of retaliation against the reporter by stating unequivocally that alleged retaliation will be investigated with the same level of rigor as alleged wrongdoing. ICANN should also guarantee remedy for reporters who suffer from retaliation as well as clarify that good-faith reporting of suspected wrong-doing will be protected from liability.

### Final Implementation Report

The Anonymous Hotline Policy was updated to contain language regarding retaliation. The following language is included within the policy

<https://www.icann.org/en/system/files/files/icann-anonymous-hotline-policy-04nov21-en.pdf>

*Protection against retaliation*

*ICANN prohibits and will not knowingly permit retaliation against any staff member by another staff member or by ICANN for using the Hotline as set forth (in the policy), or for assisting or participating in any manner in any investigation or proceeding of any type related to the use of the Hotline. Staff members who feel they have been subjected to any type of retaliation as a result of using the Hotline in good faith or assisting or participating in any investigation or proceeding relating to the use of the hotline should immediately contact Global Human Resources or the Hotline as provided above.*

*Any report of retaliation by anyone against a staff member lodging a complaint in accordance with the procedures outlined above will be reasonably, promptly, objectively and thoroughly investigated as appropriate under the circumstances in accordance with ICANN's investigation procedure outlined above. If a complaint of retaliation is substantiated, appropriate disciplinary action will be taken, up to and including termination of employment or engagement.*

ICANN distributes the policy to staff at the time of hire and ensures that it is acknowledged on an annual basis. Org documents and tracks employee’s review of the Anonymous Hotline Policy at the time of hire as well as on an annual basis. The Policy and Procedure Documents are posted on weCANN (Staff Intranet). Additionally, postings on Whistleblower/”Hotline Policy”are available in ICANN offices and employees are notified

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accordingly. Regular mandatory Organizational Compliance training is required for all staff, including Harassment Prevention, Global Anti-Corruption/Bribery, The ICANN Org Way which all references use of the Anonymous Hotline Policy. Moreover, ICANN's Bylaws at Section 20.1 specifically provide for indemnification of employees for acts that "were done in good faith and in a manner that the indemnified person reasonably believed to be in ICANN's best interests and not criminal" and so the recommendation in that regard is already implemented.

In early 2022, ICANN org launched a new internal training for all staff called "The ICANN Org Way". ICANN org developed the mandatory training to support and sustain a safe environment where all staff feel comfortable and confident in the various methods of speaking up to raise concerns. This training raises further awareness on methods to speak up and encourage reporting of issues and concerns.

## Rationale

This recommendation has been addressed with the policy and procedure updates and with current/existing initiatives. Moreover, ICANN's Bylaws at Section 20.1 specifically provide for indemnification of staff for acts that "were done in good faith and in a manner that the indemnified person reasonably believed to be in ICANN's best interests and not criminal" and so the recommendation in that regard is already implemented.

## Timeline

Expected implementation date: N/A

Final implementation date: 23 December 2020

## Milestones

23 December 2020 - Policy update and reposting

13 January 2022 -The ICANN Org Way training was launched

28 February 2022 - The ICANN Org Way training was completed