

# WHISTLEBLOWING ON UNACCEPTABLE CIRCUMSTANCES IN NORAD *updated January 2022*

<b>What is whistleblowing?</b>	Whistleblowing is reporting on unacceptable circumstances in the workplace, including business trips and events hosted by Norad.
<b>Why should I whistleblow?</b>	Whistleblowing is useful and necessary for an organization to be able to prevent and rectify matters worthy of criticism.
<b>What are unacceptable circumstances?</b>	Unacceptable circumstances are circumstances involving a breach of legislation, internal guidelines or ethical norms, e.g. bullying, sexual harassment, discrimination, drug abuse, a poor working environment, circumstances that endanger employees' lives or health, hazardous products, embezzlement, theft, fraud, corruption, breach of trust, etc.
<b>Who can whistleblow?</b>	The guidelines apply to all employees in Norad, including local employees and honorary consuls. External persons who have no connection with Norad may also report any circumstances they find unacceptable. In such cases these guidelines apply insofar as they are appropriate.
<b>How do I whistleblow?</b>	You can whistleblow in writing or orally, e.g. by telephone, email or letter, or in person.
<b>To whom should I whistleblow?</b>	<p>As a general rule, you should contact your immediate superior or a more senior line manager. You may also whistleblow indirectly through an employee representative, health and safety representative, colleague, lawyer or other adviser.</p> <p>If you are not employed Norad, or if you are Norad employee but prefer to notify through a channel other than your line management, you may report incidents directly to Norad's Whistleblowing channel or Norad's external reporting channel, EY, in one of the following ways:</p> <p><a href="mailto:varsling@norad.no">varsling@norad.no</a></p> <p><i>From 1 January 2022, Norad has a new external notification channel operated by EY. As Norad has yet to conclude a processor agreement (as required by EU regulations 2016/679 – "GDPR") with EY, the external channel for referrals of (suspicion of) fraud or other irregularity is not yet in force. Whistleblowers are therefore asked to refer their concerns directly to varsling@norad.no.</i></p> <p>In addition, you always have the right to whistleblow to a supervisory body or other public authority (for example the Norwegian Labour Inspection Authority, the Data Inspectorate or the Police).</p>

<b>The right and duty to whistleblow</b>	<p>As an employee you have the right to report unacceptable circumstances in the organization.</p> <p>You are obliged to report criminal matters, harassment and discrimination, conditions that may pose a danger to life and health or conditions which may inflict on employees, employers or environmental damage. You must also report to the employer if you contract an illness or injury that is believed to have its cause in the workplace or conditions in the workplace.</p>
<b>As health and safety representative, do I have a special duty to report?</b>	<p>Health and safety representatives have a special duty to report under the Working Environment Act. If a health and safety representative learns of circumstances that could result in accidents or health hazards, he/she is to immediately notify the employees at the location. If the report is not followed up within a reasonable space of time, the health and safety representative is to notify the working environment committee or the Norwegian Labor Inspection Authority.</p>
<b>What should the report include?</b>	<p>The report should include:</p> <ul style="list-style-type: none"> <li>• Your full name (but you can choose to remain anonymous)</li> <li>• Your place of service (this may be omitted if you wish to remain anonymous)</li> <li>• Date of your report</li> <li>• The period, and date and time if applicable, of the circumstances concerned</li> <li>• Exactly what you have observed</li> <li>• The place where the incident occurred</li> <li>• Other witnesses</li> <li>• Any known previous incidents involving the same person(s).</li> </ul>

**What is required of the whistleblower?**

A good work environment has a low threshold for reporting on matters worthy of criticism in the workplace. At the same time, it presupposes that the notification is justifiable, and that criticism and disagreements are handled in a factual and orderly manner. You are not required to know for a fact, but you must have reasonable grounds to believe that unacceptable circumstances have occurred. Strict requirements shall not be set for employee assessments with regard to the choice of procedure. The fact that the notification is justifiable usually means that it is notified in accordance with the routines and that there is a factual basis for the criticism. It is the employer who has the burden of proof in claiming that the notification is not justifiable. If you notify in accordance with these guidelines and other internal guidelines in Norad, the procedure will always be considered justifiable.

**Can I go to the media? (public whistleblowing)**

According to Article 100 of the Constitution, which concerns freedom of expression, you are entitled to speak your mind in the general public debate, including criticizing circumstances related to your place of work. However, the non-statutory duty of loyalty dictates that you may not harm your employer's interests or activities by speaking negatively of them in public unless this is justified. The requirement that you must proceed in a responsible manner generally means that whistleblowing should be carried out through the organization's internal channels and to public supervisory bodies. This requirement is more stringent with regard to public whistleblowing, i.e. via the media, blogs, websites, emails to multiple recipients outside the organization and other communication channels that reach a large and open group of recipients.

**What principles apply when dealing with such cases?**

- All reports are to be taken seriously
- All reports are to be dealt with immediately
- The whistleblower may choose to remain anonymous
- Anonymous sources can be as valuable as open ones
- The various methods of whistleblowing are to be given equal weight
- Reports are to be dealt with confidentially
- It must be possible to use the whistleblowing system without fear of the consequences
- The whistleblower should be given feedback within reasonable time (unless he or she has chosen to be anonymous)

**Who handles the report?**

The employer must make a specific assessment of which resources, internal and / or external shall be involved in the further processing of the case and what measures are to be implemented depending on the type of case and who the notification is aimed at. The employer must investigate the facts of the case. The case shall be filed by the deputy director in the section for people and competence (HR) or the department director in the department for organizational development, and otherwise processed in accordance with the regulations in force at any given time. Access to the archive case is limited to the two mentioned above.

**Norad has its own guidelines for handling the following matters:**

- [Harassment in Norad](#)
- [Guidelines for handling addiction in Norad](#)
- [Guidelines for handling suspicion of financial irregularities](#)

**Will I receive any feedback?**

Whistleblowers will receive a confirmation that the notification has been received. Questions of access to information will be regulated in e.g. the Public Access to Information Act, the Public Administration Act, the Personal Data Act, etc.

**Are there any restrictions**

Rules on the duty of confidentiality, security legislation, etc. also apply to notification. This means that the whistleblower does not have the right to break rules on, among other things, the duty of confidentiality.

<b>with regard to whistleblowing?</b>	
<b>Will I put myself at risk?</b>	Retaliation against an employee is prohibited by law. As an employer, Norad is concerned with taking care of the parties in the case and ensuring good handling in accordance with applicable laws and regulations, and in this way facilitate that unacceptable circumstances are responded to. Norad will process the notifications anonymously at the request of the whistleblower. In a possible court proceeding, Norad may nevertheless be required to state sources.
<b>Consideration for the person who has been reported</b>	In cases where the employer decides to pursue the matter further, the person who has been reported should, as a general rule, be made aware of the report and the information it contains. This gives the person concerned the opportunity to present his or her version of the matter. When the case has been concluded, the person who has been reported is to be informed immediately, regardless of the outcome