

Notification Procedure for Inland Norway University of Applied Sciences

1. Objective

The Procedure is aimed at preventing and providing remedy in case of censurable conditions. It shall provide students, employees, and temporary staff members with guidance on how to proceed with reporting, as well as provide assurance that they follow an accepted procedure without fear of retaliation. The Procedure aims at promoting openness and at helping to strengthen freedom of expression. Inland Norway University of Applied Sciences (INN University) encourages students, employees, and temporary staff members to *Speak Up* in face of conditions they consider censurable.

2. Scope

The Notification Procedure applies to students, employees, and temporary staff members at INN University.

3. Governing documents

- The Working Environment Act (arbeidsmiljøloven)
- Regulations relating to Systematic Health, Environmental and Safety Activities in Enterprises [Internal Control Regulations – Internkontrollforskriften (HMS)]

4. Responsibility and anchoring

The employer, in relation to the systematic health, environmental and safety activities, shall compile an internal notification procedure or implement other measures that allow for internal reporting of censurable conditions in the Institution in accordance with the provisions of chapter 2A – *Notification*, of The Working Environment Act.

1.	What is notification?
<p>What is notification?</p>	<p>In accordance with § 2 A-1 of the Working Environment Act employees and temporary staff members have the right to notify about censurable conditions in the employer's enterprise. Temporary staff members also have the right to notify about censurable conditions in regard to the hiring party.</p> <p>INN University's Notification Procedure applies to students, as well.</p> <p>The most commonly used definition of what notification entails, is a situation in which an employee has witnessed a wrongdoing (illegal, unethical, or undesirable) in the workplace, and notifies persons or entities who have the possibility to address the situation.</p>
<p>What are censurable conditions?</p>	<p>Censurable conditions are a breach of statutory duties or prohibitions and violations of the Institution's ethical guidelines. It is impossible to make an exhaustive list of circumstances that may warrant notification but examples include:</p> <ul style="list-style-type: none"> • Breach of laws and regulations • Violation of the Institution's ethical guidelines

	<ul style="list-style-type: none"> • Failure in security procedures • Working conditions in violation of the provisions of the Working Environment Act, such as bullying and harassment, sexual harassment, substance abuse, poor working environment • Corruption or other financial fraud • Danger for life and health
2.	Different ways to provide notification
Internal notification	<p>It is up to each individual to decide which methods of notification to use. You may notify orally or in writing, by e.g. telephone, email, letter or by direct inquiry.</p> <p>You can also notify via INN University's <i>Speak Up scheme</i> (link) for employees and for students (link).</p> <p>You always have the right to notify in accordance with INN University's Notification Procedure (this Procedure) (internal notification).</p> <p>You are encouraged to notify your direct supervisor or a senior leader, but may also provide internal notification to higher leadership through a union representative or a safety representative.</p>
Anonymous notification	<p>It is encouraged to notify openly, but you may choose to notify anonymously, i.e., the recipient would not know the identity of the person providing notification. However, such notification will be difficult to follow up satisfactorily, as no follow-up with additional questions to the person providing the notification, etc. is possible. When providing anonymous notification, you should take extra care to ensure that statements about actual circumstances are correct.</p>
External notification	<p>You have the right to notify senior authorities, supervisory authorities, and inspecting authorities (external notification), such as the Norwegian Labour Inspection Authority, etc.</p>
Public notification	<p>You may also have the right to notify the public (public notification), such as radio, television, social media, blogs, etc.</p>
3.	Requirements for a justifiable notification
What are the requirements for a justifiable notification?	<p>The procedure for notification must comply with § 2 A-2 of the Working Environment Act.</p> <p>In order for the notification to be justifiable, it is required that the person providing the notification:</p> <ul style="list-style-type: none"> • Has a sound basis for the criticism • Reports the facts surrounding the censurable conditions in good faith

	<ul style="list-style-type: none"> • Has taken into account the interests of employees and the Institution when choosing the method of notification • Has assessed whether the case holds public interest, and the extent to which the information may damage the reputation of the Institution.
What additional requirements are in place for a justifiable public notice?	<p>The justification requirement for public notification has some additional conditions beyond what applies to internal and external notifications.</p> <p>As a rule, employees who notify the media, social media, blogs, or make information available to the general public through other public platforms, must have first provided notification internally, to senior authorities, supervisory authorities, or inspecting authorities.</p> <p>In particular, the following conditions should be considered carefully prior to notifying the general public:</p> <ul style="list-style-type: none"> • Is there reason to believe that there actually are censurable conditions? The person providing notification should investigate the actual circumstances as thoroughly as possible. • Is internal notification, notification to senior authorities, notification to supervisory authorities, or notification to inspecting authorities, possible or appropriate? • Does the public or others outside the Institution have a legitimate interest in knowing about the reported circumstances?
4.	The right to provide notification
Who can provide notification?	<p>As a rule, the Procedure applies to all employees and temporary staff members at INN University, cf. § 2 A-1 of The Working Environment Act.</p> <p>Students and persons with no ties to INN University can also provide notification about any censurable conditions at INN University. The Procedure applies to these as well, to the appropriate extent (see point 8)</p>
Why should I provide notification?	You should provide notification so that INN University leadership is made aware of the censurable conditions, and is thus given the opportunity to take the necessary measures.
About which matters do I have the right to provide notification?	You have the right to provide notification about censurable conditions, cf. point 2.
What information should a notification include?	<p>There are no formal requirements for the content of a notification. However, a notification should ideally contain:</p> <ul style="list-style-type: none"> • Full name (but notifications may be anonymous, cf. point 3) • The organizational affiliation of the person providing notification • Date of reporting

	<ul style="list-style-type: none"> • timeframe, preferably date and time of observation of the censurable conditions • The facts of the matter; what has been observed in practice • Place of the incident • Witnesses • Past events that could be relevant to the case at hand.
5.	The duty to provide notification
When do I have the duty to provide notification?	<p>You are obligated to notify without delay your employer, safety representative and, as necessary, other employees about:</p> <ul style="list-style-type: none"> • Errors or omissions that could endanger life or health if you cannot correct the circumstances yourself, cf. § 2.3.2.b of the Working Environment Act • Bullying and discrimination at the workplace, cf. § 2.3.2.d of the Working Environment Act • Employees who are injured at work or incur a disease that you believe is due to work or workplace conditions, cf. § 2.3.2.e of the Working Environment Act • Conditions that may cause an employer, employee, or the working environment loss or damage, cf. point 2.2 of the Ethical Guidelines for the Public Service.
Do I have a special duty to provide notification as a safety representative?	<p>A safety representative has a special duty to provide notification.</p> <p>If a safety representative is aware of circumstances that could lead to an accident or health hazard, the safety representative shall immediately notify the affected employees on site and the employer, cf. § 6-2 (3) of the Working Environment Act</p> <p>If the employer does not deal with the censurable conditions within a reasonable time, the safety representative shall inform the Working Environment Committee or the Norwegian Labour Inspection Authority, cf. § 6-2 (3) of the Working Environment Act</p>
6.	Processing of notification cases
What principles apply to the processing of notification cases?	<ul style="list-style-type: none"> • All reports should be taken seriously • The identity of the person providing notification is considered confidential information • All reports should be addressed without undue delay • Anonymous notifications must be processed • Anonymous sources may be as valuable as open sources

	<ul style="list-style-type: none"> • The choice of notification method should not affect how the notification is processed • The notification case must be processed confidentially • Notification should always be provided without fear of consequences • The receiver of a notification is required to conduct further investigation as soon as possible. • The person providing notification is to receive feedback within a reasonable time.
<p>What should you do if you receive an oral notification?</p>	<p>If you receive an oral notification, please make record of:</p> <ul style="list-style-type: none"> • Who provides the notification and when it is provided • The facts of the event, timeframe, place, and when applicable – date and time • Witnesses • Other relevant data <p>You are requested to send your notes to postmottak@inn.no</p>
<p>How should received notifications be registered?</p>	<ul style="list-style-type: none"> • INN University will log the received notifications in P-360. The notification shall be access-restricted to only the person(s) who has an absolute need for access to the notification. Notification of censurable conditions will normally be exempt from public disclosure, but this must be assessed on a case-by-case basis in relation to the relevant legal provisions. • The person providing notification must receive a confirmation that the notification has been received and that further follow-up is under evaluation. Otherwise, access matters will be regulated by, among others, the Freedom of Information Act, the Public Administration Act, the Personal Data Act. • Notifications must first be sent to the Director of HR or the person appointed as responsible for INN University's "<i>Speak Up Scheme</i>". The Rector shall receive a copy of all notification cases
<p>What is the appropriate follow-up for a notification?</p>	<ul style="list-style-type: none"> • HR will assess who will be involved in the further processing of the case in practice, and what measures are to be taken. This depends on the type of case and who the notification revolves. • If it is concluded that the case is to be pursued, the person(s) around which the notification revolves should – as a rule – be informed of the notification and the information provided. • Notification matters must be archived and otherwise treated in accordance with the Public Administration Act's provisions regarding case processing.

	<ul style="list-style-type: none"> • The safety representative should be informed about the existence of a notification case but not about the content of the case. • The Rector shall be informed of received notifications. If the notification is regarding the Rector, the chair of the Board shall be informed. • When the processing of the case has been completed, consideration must be given to whether any measures should be implemented. • The Rector has authority to decide to terminate the case. If in an individual case it is deemed necessary that someone other than the Rector should take this decision, the reasons for this shall be recorded. The decision to end the case must be documented in retrospect. Among others, which measures have been implemented or put in motion, must be documented. • When the case has been completed, the person who has provided the notification should be informed of the results of investigation, and the conclusions that have been reached.
Audi alteram partem (“let the other side be heard” principle)	The person around which the notification revolves must be given an opportunity to account for his or her view of the situation and the facts, as well as allowed access to the documents.
7.	Protection of the person providing the notification and the object of the notification
How should the person providing the notification be protected?	<p>According to § 2 A-2 of the Working Environment Act, retaliation against employees who have provided notification in accordance with § 2 A-1 of the same law is prohibited. This applies to both formal and informal reactions.</p> <p>If an employee discloses information that provides grounds for believing that there has been a retaliation in violation of the first or second point, it shall be assumed that such retaliation has taken place unless the employer proves otherwise.</p>
The identity of the person providing the notification	The identity of the person providing the notification shall not be disclosed to more persons than is absolutely necessary for the further processing of the notification case.
How should the object of the notification be protected?	<p>Received notifications may contain information and statements about individuals. INN University is required to investigate the allegations, unless they are deemed groundless.</p> <p>As a rule, the object of the notification should be verbally notified as soon as possible that a notification has been received. The employee should be verbally informed regarding the content of the notification and be given information about further processing. Such information should</p>

	<p>be given in a sensitive manner. Such information should not be offered if it entails a risk for tampering with evidence, or similar risks.</p> <p>Depending on the circumstances, the Public Administration Act may stipulate that the object of the notification be given access to the identity of the person providing the notification. This will depend on a concrete assessment. If the Institution knows the identity of the person in question, it would normally be advisable to ask the person who provided the notification for consent to disclosing her/his identity.</p> <p>Once the case has been processed, the object of the notification must be notified immediately, regardless of the outcome of the case.</p>
8.	Notification by external persons
	<p>If employees or persons in leadership positions at INN University receive notification regarding censurable conditions from external persons, the notification shall be communicated to the head of the unit to which the notification applies. The notification should be processed in accordance with the Procedure as far as it is appropriate.</p>
9.	Reporting
	<p>In connection with the annual report for health, safety and the environment (HSE), an annual report regarding notification cases shall be composed.</p>