

The notification poster

Notification of censurable conditions in FK Norway, cf. the Working Environment Chapter 2 A. Notification

What is notification/whistleblowing?	Whistleblowing means giving notification of censurable conditions relating to an organisation's activities.
Why should I report censurable conditions?	You are encouraged to give notification so that the employer can learn about any censurable conditions and thereby implement necessary measures.
What are censurable conditions?	<p>By censurable conditions are meant breaches of acts and regulations, internal guidelines or ethical norms. Examples include:</p> <ul style="list-style-type: none">• harassment or other improper conduct• discrimination• substance abuse, gambling or internet addiction• conditions that represent a risk to people's lives or health• other breaches of the requirement for a fully satisfactory working environment• hazardous products• financial irregularities such as embezzlement, theft, fraud, corruption, or other misappropriation of funds internally in the service and/or on the part of external partners• disclosure of confidential information• irresponsible storage of sensitive documents
Who can give notification?	<p>All FK Norway employees can give notification pursuant to these guidelines.</p> <p>External parties, including FK Norway's partners and participants, can also report censurable conditions. In such cases, the guidelines apply insofar as they are appropriate.</p>
How do I give notification?	Notification can be given orally or in writing, e.g. by phone, email, letter or in person.
Who should I notify?	<p>FK Norway cannot demand that notification shall be given in a certain manner.</p> <p>As a rule, employees in FK Norway should first raise the matter with their immediate superior or a more senior line manager. You can also notify an employee representative, safety representative or colleague. However, they are obliged to notify the employer.</p> <p>If you do not work in FK Norway, or if you are an employee but prefer not to notify through the line management, you can notify the external notification service directly:</p> <p>Wiersholm, dept. Investigation and Compliance: varsling.dep@wiersholm.no (+ 47) 210 210 00; postal address: P. O. Box 1400 Vika, 0115 Oslo, Norway. Mark the envelope 'Varsel' (Notification). Visiting address: Dokkveien 1, 0250 Oslo, Norway</p> <p>You also have the right at all times to notify a supervisory body or other public authority (e.g. the Norwegian Labour Inspection Authority, the Data Protection Authority, the police etc.).</p>

Do I have the right to give notification?	As an employee, you have a right to give notification of censurable conditions in the organisation, cf. Chapter 2 A. Notification of the Working Environment Act.
Do I have a notification duty?	<p>Yes, in certain situations, a notification duty applies.</p> <ul style="list-style-type: none"> • You have a duty to immediately notify the employer and the safety representative and, to the extent necessary, other employees when you become aware of faults or defects that may involve danger to life or health and you are unable to remedy the fault or defect yourself. • You have a duty to inform the employer or the safety representative as soon as you become aware of harassment or discrimination in the workplace. • You have a duty to notify the employer if you suffer an injury at work or contract a disease which you believe results from the work or conditions at the workplace. • You have a duty to notify the employer of any circumstances that could cause loss or harm to the employer, employees or the surroundings, cf. the Ethical Guidelines for the Public Service.
Does the safety representative have a special duty of notification?	<p>Yes, according to the Working Environment Act safety representatives have a special duty of notification.</p> <p>As soon as a safety representative learns of circumstances that may result in accidents and health hazards, he/she shall immediately notify the employees at the location and bring the matter to the attention of the employer if the safety representative is unable to avert the danger him/herself. If the notification is not followed up within a reasonable space of time, the safety representative shall notify the Labour Inspection Authority or the working environment committee.</p>
What should the notification include?	<p>A notification should include:</p> <ul style="list-style-type: none"> • The whistleblower's full name (but you can choose to remain anonymous) • The whistleblower's place of service (you can also choose to keep this information anonymous) • Date of reporting • Time period, and, if applicable, the date and time of the observation • A specific description of what you have observed • The place where the incident occurred • Any other witnesses • Any known previous incidents involving the same person(s).
What requirements apply to notifications?	<p>Chapter 2 A. Notification of the Working Environment Act states that the employee shall proceed in a responsible manner.</p> <p>In a good working environment, the threshold for reporting censurable conditions is low. Moreover, criticism and disagreement are dealt with in a fair and orderly way.</p> <p>However, allegations about censurable conditions can be a burden on the person or persons concerned, on the organisation and on colleagues, as well as on the working environment. Many people also find it problematic to report censurable conditions.</p> <p>What can be regarded as a responsible manner must be based on an overall concrete discretionary assessment. You should ask yourself the following questions:</p>

	<ul style="list-style-type: none"> • Is my criticism well founded? • How should I proceed? • Who should I tell? <p>The law states that the employer has the burden of proof for any claim that an employee has not proceeded responsibly.</p> <p>No stringent requirements are made of the employee's assessments in relation to how to proceed. You are not required to be certain, but you must have reasonable reason to believe that censurable conditions exist.</p> <p>If you give notification in accordance with these guidelines, you will always be considered to have proceeded responsibly.</p>
<p>Can I notify the media? (public whistleblowing)</p>	<p>The Norwegian Constitution Article 100 regarding freedom of expression gives you the right to speak your mind in the general public debate, including criticising circumstances related to your place of work. However, the non-statutory duty of loyalty dictates that you should not harm your employer's interests or activities by speaking negatively about them in public unless this is justified. The requirement that you must proceed in a responsible manner generally means that you should give notification of the censurable conditions through the organisation's internal notification channels and/or to public supervisory bodies. The requirement that you must proceed responsibly is more stringent with regard to public whistleblowing, i.e. notification via the media, blogs, websites, emails to multiple recipients outside the organisation and other communication channels that reach a large and open group of recipients. If public notification is made, the notified condition should be of a certain general interest.</p>
<p>What principles apply to the handling of notification cases?</p>	<ul style="list-style-type: none"> • All notifications shall be taken seriously and dealt with immediately. • Impartiality should be considered in line with the provisions of the Public Administration Act. • The facts must be investigated. • The selected manner of notification shall not have any bearing on the consideration of the case. • It is possible to remain anonymous. • Notifications are to be dealt with confidentially. • Documentation. • Contradiction (safeguard the parties' due process protection). • Information to the parties. • Protection of the affected parties (it must be possible to use the notification system without fear of consequences). • Retaliation against the whistleblower is illegal.
<p>Who handles the notification?</p>	<p>Depending on the type of case concerned and who it involves, the employer must carry out a specific assessment of what internal and/or external resources to involve in the further consideration of the case and what measures to implement.</p> <p>The case shall be filed/registered and otherwise dealt with in accordance with the regulations applicable at all times.</p> <p>FK Norway has its own guidelines regarding the handling of the following types of cases:</p> <ul style="list-style-type: none"> • Guidelines for dealing with suspicion of financial irregularities • Guidelines for dealing with conflicts, harassment or other improper conduct (HSE 4.2–4.3) • Guidelines for dealing with substance abuse, gambling and other problematic addictions in the workplace (FK Norway's AKAN agreement).

Will I receive any feedback?	If possible, the whistleblower shall receive confirmation that his/her notification has been received. Any questions concerning access to information regarding the case are governed by the provisions of the Freedom of Information Act, the Public Administration Act and the Personal Data Act etc.
Are there any restrictions with regard to notification?	Rules on the duty of secrecy, safety legislation etc. also apply in connection with notification. This means that whistleblowers are not entitled to break the rules on, for example, the duty of confidentiality.
Will I put myself at risk by notifying?	The law prohibits retaliation against employees who report censurable conditions.
Considerations for the person the notification concerns	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 notification and the information it contains. He/she will thus have an opportunity to present their version of the case. Once the consideration of the case has been completed, the person whom the notification concerns shall be notified immediately, also if the conclusion is that nothing censurable has occurred.