

World Bank Group Directive

Staff Rule - 2.01 Confidentiality of Personnel Information

Bank Access to Information Policy Designation

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Content

This Directive, Staff Rule 2.01, "Confidentiality of Personnel Information" (hereinafter Rule) sets forth provisions governing administration of and access to staff records and other personnel information about staff members maintained, whether in hard copy or electronically, by the Bank Group. Medical information and records are governed by the provisions of Staff Rule 2.02, "Confidentiality of Medical Information and Records."

Applicable to

IBRD,IDA,IFC,MIGA,ICSID

Issuer

World Bank Group Human Resources Vice President, HRDVP;
IFC Executive Vice President and CEO, CEXVP; MIGA
Executive Vice President and CEO, MIGEX

Sponsor

Director, Strategy and Operations, HRDAO; Director, IFC
Human Resource Department, CHRDR; Director, IBRD/MIGA
Client Services, HRDCS

Retired

SECTION I – PURPOSE AND APPLICATION

- 1.01 This Directive, Staff Rule 2.01, "Confidentiality of Personnel Information" (hereinafter Rule) sets forth provisions governing administration of and access to staff records and other personnel information about staff members maintained, whether in hard copy or electronically, by the Bank Group. Medical information and records are governed by the provisions of Staff Rule 2.02, "Confidentiality of Medical Information and Records."
- 1.02 This Rule applies to all staff members and former staff members of the institutions of the World Bank Group.

SECTION II – DEFINITIONS

- 2.01 Capitalized terms in this Rule have the meanings ascribed to them in Staff Rule 1.01, "General Provisions," and as follows:
- a. **Human Resources Team:** means Human Resources Team staff at the officer level and above.
 - b. **Letter of Verification:** is a letter conveying basic employment data, such as a staff member's name, employment status, employment dates, job title and department.
 - c. **Limited Access Documents:** is a designation given to sensitive or highly confidential documents. Examples of such documents include appeals decisions, and matters involving misconduct such as investigative reports and disciplinary decision documents. Such documents will be identified by the Human Resources Team or the World Bank Group Human Resources Vice President, and placed in a Limited Access section of Staff Records.
 - d. **Personnel Information:** means all documents and information maintained by the Bank Group pertaining to a staff member, including but not limited to Staff Records, Pre-Appointment Records, and Working Papers.
 - e. **Pre-Appointment Records:** are documents obtained by the Bank Group for use in making recruitment decisions, including letters of reference, interview notes and candidate assessments. Pre-Appointment records are not Staff Records.
 - f. **Selecting Officials:** means the supervisor and the person or persons who assist the supervisor in the review of candidates for vacant positions.
 - g. **Staff Records:** are a staff member's biographical, work history and leave and attendance data maintained by the Human Resources Vice Presidency and the staff member's benefits, pension, payroll and tax files. Staff Records include Limited Access Documents but do not include Pre-Appointment Records or, except as otherwise provided in this Rule, Working Papers.
 - h. **Working Papers:** are the material prepared by supervisors or managers for use in exercising their managerial responsibilities or prepared by Human Resources staff in the performance of their human resources management function for use in making personnel

decisions. Except as provided otherwise in this Rule, Working Papers do not become part of Staff Records.

SECTION III – SCOPE

03. Confidentiality of Personnel Information

Confidential Treatment

3.01 Personnel Information shall not be disclosed by the Bank Group, except as provided in this Rule.

Disciplinary Action

3.02 Staff members who engage in unauthorized review or disclosure of Personnel Information in a manner not permitted under this Rule are subject to action under the provisions of Staff Rule 3.00, "Office of Ethics and Business Conduct "EBC)".

04. Access to Personnel Information

Access to Staff Records

4.01 Access to Staff Records shall be as provided below:

- a. A staff member may examine his/her own Staff Records, in the presence of the staff member's manager or supervisor, a member of the staff member's Human Resources Team, the Ombudsman, or a staff member of HR Operations, except for that part of the Staff Records containing documents created before January 1, 1983. In addition, staff members shall have direct access to performance review reports completed after April 15, 1981.
- b. Supervisors shall have access to the Staff Records of the staff members who report to them.
- c. Selecting officials shall have access to the Staff Records (except Limited Access Documents), and the leave and attendance and overtime records of staff members who are candidates for vacancies in the selecting officials' unit. When selecting officials have identified candidates whom they are prepared to select, they may have access to Limited Access Documents of those candidates.
- d. Other officials of the Bank Group who need to consult Staff Records in the performance of their assigned duties, shall have access to the Staff Records relevant to their work. Such officials shall be responsible for maintaining the confidentiality of the information they see.

Pre-Appointment Records

4.02 A staff member's manager or supervisor, Human Resources staff, selecting officials and other officials in the Bank Group, shall have access to the Pre-Appointment Records of the staff member as needed in the performance of their duties.

Working Papers

4.03 Working Papers shall be accessible as provided in paragraph 4.04 of this Rule. They may also be disclosed by the author to other Bank Group officials as needed in the performance of their duties. The basis for a decision resulting from information recorded in Working Papers shall either be documented and made part of the Staff Records or, alternatively, the author may make the Working Paper relied upon part of the Staff Record.

Legal Matters

4.04 Personnel Information is available for use by the Bank Group, or its representatives, in the resolution of legal issues or in any legal or administrative proceedings to which the staff member, or a person claiming upon a right of the staff member, or a beneficiary of the staff member, is a party.

Recomputation Under Safety Net

4.05 In case of a request by a staff member for recomputation of a tax allowance under the safety net provisions, only members of the Payroll and Tax Sections and the Bank Group's internal auditors shall have access to information provided by the staff member as needed in the performance of their duties. The head of the Administrative Expense Division shall also have access to such information in a form that cannot be personally identified with the staff member. The Tax Section shall securely dispose of copies of tax returns upon completion of imaging. The imaged returns will be archived for a period of three years.

05. Disciplinary Matters

Misconduct

5.01 A staff member who has brought an allegation of misconduct against another staff member may be informed of any disciplinary measures imposed under Staff Rule 3.00, "Office of Ethics and Business Conduct (EBC)," or Staff Rule 8.01, "Disciplinary Proceedings," as a result of the allegation. This includes, but is not limited to, staff members who report suspected misconduct or retaliation under Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)," paragraphs 2.06 and 3.02(c). A staff member informed under this section shall not disclose the information to any other person. In addition, the World Bank Group Human Resources Vice President, or his/her designee, may decide that information about disciplinary measures in a particular case should be disclosed to other staff members when the circumstances warrant.

06. Release of Personnel Information to Persons Outside the Bank Group

Persons Outside the Bank Group

6.01 The following Personnel Information may be released to persons outside the Bank Group without the authorization of the staff member concerned and, where specifically noted below, the Bank Group may inform the staff member concerned accordingly and within reasonable time frame as follows:

- a. Basic employment data such as name, employment status, employment dates, job title and department in which case, at the discretion of the Manager, HR Operations, or a designated official, the Bank Group may inform the staff member concerned;
- b. Compensation and pension information, which may be released to member governments for tax purposes in which case, at the discretion of the Manager, HR Operations, or a designated official, the Bank Group may inform the staff member concerned;
- c. Visa status of staff and dependents, which may be reported to governmental authorities;
- d. Pension, benefits and salary records, which may be made available to a pension plan administrator, to external auditors and accountants or to a consulting actuary;
- e. Information necessary for processing medical, workers' compensation and other insurance claims, including medical insurance coverage information to covered dependents;
- f. Benefits information necessary to coordinate exchange or joint benefits programs, and information necessary to coordinate benefit policies with other international organizations;
- g. Information on a staff member's salary and benefits (including pension and insurance) to the spouse or domestic partner of a staff member. For purpose of this subparagraph (g), a staff member's salary means the net salary and its estimated gross equivalent in the staff member's duty station, and benefits including, but not limited to, dependency allowance, assignment allowances, separation grant accrual, termination grant restoration accrual, expatriate benefits, resettlement benefits, unused annual leave benefits, pension, insurance, and identity of the staff member's most recent designation of beneficiaries, if any, for purposes of pension death benefits and Bank Group life insurance benefits. At the discretion of the World Bank Group Human Resources Vice President, or his/her designee, the Bank Group may inform the staff member concerned accordingly;
- h. Information on a staff member's salary and benefits (including pension and insurance) as defined above in subparagraph (g) to a former spouse or former domestic partner in connection with legal proceedings adjudicating a staff member's personal legal obligations related to child support or alimony as evidenced by a court order. The World Bank Group Human Resources Vice President, or his/her designee, may decide not to release any information if there is evidence of a manifest lack of due process in the issuance, or bona fide concerns about the legitimacy, of the court order. In the absence of a court order, the World Bank Group Human Resources Vice President, or his/her designee, in consultation with the Senior Vice President and General Counsel, or his/her designee, may disclose information on a staff member's salary and benefits (including pension and insurance) as defined above in subparagraph (g) based on reasonable indicators - including evidence

of ongoing litigation, evidence of absence of response to a prior request, or existence of a minor child or children - that such information is necessary for a fair determination of a staff member's obligation in respect of child support or alimony, and a determination that the release of such information is not likely to cause undue hardship to the staff member. At the discretion of the World Bank Group Human Resources Vice President, or his/her designee, the Bank Group may inform the staff member concerned accordingly;

- i. Information on a staff member's salary and benefits (including pension and insurance) to any individual for whom the staff member or retiree has signed or electronically approved an authorization to receive salary and benefits information, as long as the date of such approval is prior to the date of request for information identified in this subparagraph (i);
- j. Information to vendors who assist Bank Group managers in performance of their assigned duties, if authorized by the Office of Information Security (OIS) and approved by the World Bank Group Human Resources Vice President, or his/her designee, after consultation with the Staff Association;
- k. The name, nationality, gender and contact information of the spouse or registered domestic partner of a newly appointed staff member to the World Bank Family Network;
- l. The staff member's mailing address information, as contained in Bank Group records, to a judicial, administrative or civil authority, spouse, former spouse, registered domestic partner, former registered domestic partner, or their legal representatives, upon receipt by the Bank Group of a certified copy or original of a request from that judicial, administrative or civil authority, spouse, former spouse, registered domestic partner, former registered domestic partner, or their legal representatives, in cases of divorce or family maintenance (including spouse and/or child support);
- m. Personnel Information for law enforcement purposes to local or national authorities of member countries if the Bank Group has reason to believe that laws of a member country may have been violated, in accordance with procedures set forth in either Staff Rule 3.00, "Office of Ethics and Business Conduct (EBC)," paragraph 8.06, or Staff Rule 8.01, "Disciplinary Proceedings," paragraph 6.01; and
- n. Personnel Information regarding a staff member's misconduct and resulting disciplinary measures to governmental bodies of member countries and to public international organizations, in accordance with procedures set forth in either Staff Rule 3.00, "Office of Ethics and Business Conduct (EBC)," paragraph 8.06, or Staff Rule 8.01, "Disciplinary Proceedings," paragraph 7.01.

6.02 Where a staff member places a matter related to Bank Group employment at issue before a forum outside the Bank Group, the Bank Group may disclose Personnel Information to the forum used by the staff member if the World Bank Group Human Resources Vice President decides, in consultation with the Vice President for External Affairs, and the Senior Vice President and General Counsel, and, for cases involving MIGA staff, MIGA's Executive Vice President and CEO and MIGA's Director and General Counsel decides, that it is necessary for the Bank Group or MIGA, as applicable, to respond to claims made by the staff member. For cases involving IFC staff, the IFC may disclose Personnel Information to the forum used by the staff member if the Vice President, Corporate Strategy & Resources for IFC decides, in consultation with the IFC Vice President and General Counsel, that it is necessary for the IFC to respond to claims made by the staff member.

6.03 Personnel Information may also be disclosed outside the Bank Group in response to inquiries from or reports in the media, if the World Bank Group Human Resources Vice President decides, in consultation with the Vice President for External Affairs, the Senior Vice President and General Counsel, and, for cases involving MIGA staff, MIGA's Executive Vice President and CEO and MIGA's Director and General Counsel decides, that:

- a. disclosure is necessary to correct false or misleading information, or
- b. the reputation of the Bank Group or MIGA, as applicable, will be damaged without such a disclosure.

For cases involving IFC staff, Personnel Information may also be disclosed outside the IFC in response to inquiries from or reports in the media, if the Vice President, Corporate Strategy & Resources for IFC decides, in consultation with the IFC Vice President and General Counsel, that:

- a. disclosure is necessary to correct false or misleading information, or
- b. the reputation of the IFC will be damaged without such a disclosure.

6.04 Personnel Information disclosed under paragraph 6.03(a) of this Rule, shall be limited to facts that relate directly to the false or misleading information. Personnel Information disclosed under paragraph 6.03(b) of this Rule, shall be limited to facts that are necessary to protect the Bank's reputation. Efforts shall be made to safeguard confidentiality of the staff member concerned to the extent possible. The staff member concerned shall be notified of what information was disclosed and to whom within 30 calendar days after the disclosure is made.

6.05 Other than as provided in this Rule, the Bank Group will not release Personnel Information to outside parties, including member countries and their representatives, without the staff member's authorization, except in cases of emergency situations. In such cases, the staff member will be notified as soon as reasonably possible of what information is released and to whom.

Letter of Verification

6.06 When a current or former staff member names the Bank Group on an employment or other application, a letter of verification may be released by the Bank Group without the authorization of the staff member or former staff member.

Letters of Reference

6.07 Individual staff members of the Bank Group may provide letters of reference for current or former staff members if the letter states clearly that they are speaking on a personal basis and not on behalf of the institution.

07. Review of Staff Records

Review of Staff Records Created On or After January 1, 1983

7.01 A staff member may review and photocopy his/her Staff Records created on or after January 1, 1983, in the presence of the staff member's supervisor or manager, a member of

the staff member's Human Resources Team, the Ombudsman, or a staff member of HR Operations. In a Country Office, the staff member may ask his/her supervisor to request that a copy of the Staff Records created on or after January 1, 1983, or part thereof, be sent from Headquarters for review. Requests for corrections and clarifications to Staff Records may be made under the procedures in paragraph 7.03 of this Rule.

Third Party Review of Documents Created Prior to 1983

7.02 A staff member may request review of these documents by the staff member's supervisor or manager, a member of the staff member's Human Resources Team, the Ombudsman, or a staff member of HR Operations. Requests for corrections and clarifications to such documents may be made under the procedures in paragraph 7.03 of this Rule.

Corrections and Clarifications of Staff Records

7.03 A staff member may submit a written request for the correction or clarification of the Staff Record to a member of the staff member's Human Resources Team or to HR Operations if the staff member believes that the Staff Record is incomplete or incorrect. Such requests for correction or clarification shall be made a part of the Staff Record.

08. Retention of Staff and Pre-Appointment Records

Records of Personnel Actions, Personal History Forms, and Benefits Records

8.01 Records of Personnel Actions, Personal History Forms, and benefits records, and documents related to such forms or records, shall be retained indefinitely.

Performance Reports and Other Evaluative Documents, Disciplinary Decisions, and Limited Access Documents

8.02 Performance reports and other evaluative documents, decisions related to disciplinary actions, and Limited Access Documents shall be retained in the Staff Records indefinitely, unless otherwise decided by the World Bank Group Human Resources Vice President, or his/her designee.

Pre-Appointment Records

8.03 Pre-Appointment Records shall be retained for a minimum of five years from date of appointment.

SECTION IV – EXCEPTION

None

SECTION V – WAIVER

The Issuers, or their designees, may waive any provision of this Rule, with respect to their staff members, with advice from the World Bank Group Human Resources Vice President.

SECTION VI – OTHER PROVISIONS

None

SECTION VII – TEMPORARY PROVISIONS

None

SECTION VIII – EFFECTIVE DATE

This Directive is effective as of the date on its cover page.

SECTION IX – ISSUER

The Issuers of this Rule are:

World Bank Group Human Resources Vice President, HRDVP

IFC Executive Vice President and CEO, CEXVP

MIGA Executive Vice President and CEO, MIGEX

SECTION X – SPONSOR

The Sponsors of this Rule are:

Director, Strategy and Operations, HRDAO

Director, IFC Human Resource Department, CHRDR

Director, IBRD/MIGA Client Services, HRDCS

SECTION XI – RELATED DOCUMENTS

Staff Rule 2.02, "Confidentiality of Medical Information and Medical Records"

ANNEX(ES)

None

Questions regarding this Directive should be addressed to the Sponsor.