

ICANN
Policies & Procedures
Pages: 13

Version 1.0

**SUBJECT: Reporting of Work-Related
Concerns to ICANN's
Anonymous Hotline
("Anonymous Hotline
Policy")**

SCOPE: Company Wide

1. PURPOSE:

ICANN is committed to the highest possible standards of ethical, moral and legal business conduct. Company policies, including those entitled "Open Door," "Prohibition of Harassment," and "Fraud," provide employees with procedures for reporting work-related concerns. This policy, including the appendices, provide a reporting alternative for staff members who have work-related concerns.

2. POLICY/PROCEDURE:

A. POLICY

This policy explains ICANN's hotline and how to use it. ICANN policies provide a number of ways for staff to report work-related concerns. A staff member who seeks to report a work-related concern should review ICANN's policies to determine if there is a specific policy regarding the reporting of concerns pertaining to that subject matter. For example, employment-related concerns should continue to be reported through specified channels such as a staff member's supervisor, or Human Resources. If there is no specific reporting procedure pertaining to the subject matter of the staff member's concern, he/she may use either the Open Door policy or ICANN's confidential hotline to report the concern.

ICANN's hotline is intended for serious concerns that could have a significant impact on ICANN operations. Such issues would include, but are not limited to, those which:

- could lead to incorrect financial reporting;
- are unlawful;
- are inconsistent with Company policy; or
- otherwise amount to serious improper conduct.

B. PROCEDURES

(i) Reporting:

REDACTED-CONFIDENTIAL administers ICANN's hotline. Staff members who seek to use the hotline to report serious work-related concerns may do so by contacting **REDACTED-CONFIDENTIAL** in any of the following ways:

- By telephone:
Through the Toll Free Hotline: REDACTED-CONFIDENTIAL
Staff outside of North America – REDACTED-CONFIDENTIAL
International calls: See International Toll Free Access List
- By e-mail: REDACTED-CONFIDENTIAL
- By facsimile for written documents: REDACTED-CONFIDENTIAL
- By Web: REDACTED-CONFIDENTIAL (click on Report Incident link). Username: REDACTED-CONFIDENTIAL
- By intranet: REDACTED-CONFIDENTIAL

Callers to the hotline may elect to make their report anonymously. Hotline reports are submitted by REDACTED-CONFIDENTIAL to ICANN or its designee, and may or may not be investigated, at the sole discretion of ICANN. Investigations may be internal or external, and may be performed by ICANN or third parties. A reporting staff member's anonymity will be protected to the extent permitted by law, but staff member's should be aware that an investigation may result in their identity being unintentionally revealed in the course of that investigation.

Although a staff member making a report is not expected to prove the truth of an allegation, he/she will be required to demonstrate to the hotline operator that there are sufficient grounds for concern. Staff members making a complaint to the hotline should be prepared to provide specific information regarding the stated concern, including names, dates and specific facts regarding the concern.

(ii) Report handling

The action taken in response to a contact with the hotline will depend on the nature of the concern expressed. Some concerns may be resolved by agreed action without the need for investigation. Initial inquiries will be made to determine whether an investigation is appropriate and, if so, the form that it should take. Further information may be sought from the complainant. ICANN management will receive a report of each complaint and a follow-up report on actions taken. Subject to legal constraints the staff member who contacted the hotline will receive information about the outcome of the complaint, including any investigation.

(iii) No retaliation

ICANN prohibits and will not knowingly permit retaliation against any staff member by another staff member or by the Company for using the ICANN hotline as set forth above, 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 should immediately contact Human Resources or the ICANN hotline as provided above. A prompt, thorough investigation of the alleged retaliation will be conducted and immediate and appropriate corrective action will be taken as necessary.

ICANN reserves the right to modify or amend this Policy and either of the Addendums at any time as it may deem necessary.

AUSTRALIAN ADDENDUM TO ICANN'S ANONYMOUS HOTLINE POLICY

This Australian Addendum to ICANN's Anonymous Hotline Policy applies, in addition to the Policy, to ICANN staff members in Australia, and prevails to the extent of any inconsistency.

The *Corporations Act 2001* (**Corporations Act**) has established a protective regime for certain individuals who report on contraventions or potential contraventions of the *Corporations Act 2001*, the *Australian Securities and Investments Commission Act 2001*, and certain Court rules made under the *Corporations Act 2001* (known collectively as the **Corporations legislation**).

Application of the Corporations Act Regime

This regime applies when you, as an employee, officer, contractor or employee of a contractor of ICANN in Australia make a disclosure of information in good faith, in which:

- You have reasonable grounds to believe that the information indicates that ICANN, or an employee or officer of ICANN, has or may have contravened a provision of the Corporations legislation;
- You make the disclosure to the Australian Securities and Investment Commission, ICANN's auditor or a member of a team conducting an audit on ICANN, a director, secretary or senior manager of ICANN, or a person authorised by ICANN to receive such disclosures (currently REDACTED-CONFIDENTIAL); and
- You provide your name when making the disclosure (that is, you do not make the disclosure anonymously).

When you make such a disclosure of information, it is known as a 'qualifying disclosure'.

Effect of a Qualifying Disclosure

If you make a qualifying disclosure:

- You will not be subject to criminal or civil liability for making the disclosure;
- You are not liable to have any contractual right or remedy enforced or exercised against you on the basis of the disclosure;
- No contract you are party to can be terminated on the basis that the qualifying disclosure was a breach of that contract;
- You will have qualified privilege in respect of the disclosure;

- If your employment is terminated on the basis of the qualifying disclosure, a court may order that your employment be reinstated; and
- It is an offence under the Corporations Act for anyone to victimise you (by causing or threatening to cause a detriment to you), and you may have a right to compensation for such victimisation.

Confidentiality

If you make a qualifying disclosure to ICANN's auditor or a member of a team conducting an audit on ICANN, a director, secretary or senior manager of ICANN, or a person authorised by ICANN to receive such disclosures (currently REDACTED-CONFIDENTIAL), the Corporations Act provides certain protections to protect the confidentiality of your disclosure.

It is an offence if one of those persons, ICANN, or its other officers or employees (being the person to whom the qualifying disclosure was made), discloses your identity, or information that is likely to lead to your identity, or the information that you disclose in the qualifying disclosure, unless you have consented to them passing on that information. If you do not consent to the recipient of your qualifying disclosure passing on that information to another person, the recipient may only disclose the information to the Australian Securities and Investments Commission, the Australian Prudential Regulation Authority, or the Australian Federal Police (who will deal with the disclosure in accordance with their standard procedures).

However, if you do not consent to your qualifying disclosure being made available to relevant persons within ICANN, please note that ICANN may not be able to conduct a complete internal investigation in relation to the information contained in your qualifying disclosure.

Privacy

Please note that by making a disclosure of information under the Hotline Policy or the Australian Addendum to the Hotline Policy, you may be providing 'personal information' within the meaning of the *Privacy Act 1988*. By disclosing such information, you agree to allow the person to whom you disclosed the information, ICANN or third parties (as applicable) to collect, use and disclose that information for the purposes of investigating issues related to your disclosure in accordance with this Hotline Policy and the Australian Addendum to the Hotline Policy.

Most ICANN personnel and REDACTED-CONFIDENTIAL are not located in Australia. Accordingly, if you make a disclosure to a non-Australian employee of ICANN or to REDACTED-CONFIDENTIAL, you may be providing personal information to an entity not located in Australia.

BELGIAN ADDENDUM TO ANONYMOUS HOTLINE POLICY

This Belgian Addendum to the Anonymous Hotline Policy applies, in addition to that Policy, to ICANN staff members in Belgium, and prevails to the extent of any inconsistency.

In the framework of the Hotline Policy, some of personal information may be collected, saved or otherwise treated. The Act of 8 December 1992 for the protection of privacy as regards the treatment of personal information (the “*Privacy Act*”) has established certain rights for all persons whose personal information may be collected, saved or otherwise treated. The Hotline Policy and this Addendum guarantee these rights.

The Treatment of Personal Information

REDACTED-CONFIDENTIAL administers the ICANN Hotline. Its contact information is available in the Hotline Policy.

Please note that by making a disclosure of information under the Hotline Policy or the Belgian Addendum to the Hotline Policy, you may be providing personal information within the meaning of the *Privacy Act*. By disclosing such information, you agree to allow the person to whom you disclosed the information, ICANN or third parties (as applicable) to collect, use and disclose that information for the purposes of investigating issues related to your disclosure in accordance with this Hotline Policy and the Belgian Addendum to the Hotline Policy, including the transfer of such information outside of the European Union, which in turn may include countries that do not offer the same level of protection of personal information as Belgium.

REDACTED-CONFIDENTIAL and ICANN may also, in the course of an investigation in accordance with this Hotline Policy and the Belgian Addendum to the Hotline Policy, collect and save personal information without your permission. This information may be transferred to REDACTED-CONFIDENTIAL, ICANN or third parties (as applicable) outside of the European Union, including to countries that do not offer the same level of protection of personal information as Belgium, in accordance with the provisions of the *Privacy Act*.

REDACTED-CONFIDENTIAL and ICANN will, in the framework of this Hotline Policy and the Belgian Addendum to the Hotline Policy, collect and save only the personal information that is necessary to further the goals stated in the the Hotline Policy, and it will delete the information when it is no longer necessary.

REDACTED-CONFIDENTIAL and ICANN will treat all personal information that is collected and saved in the framework of this Hotline Policy and the Belgian Addendum to the Hotline Policy securely and confidentially. It will store this information separately from other information. REDACTED-CONFIDENTIAL and ICANN will use their best efforts to ensure that all collected information is correct and precise.

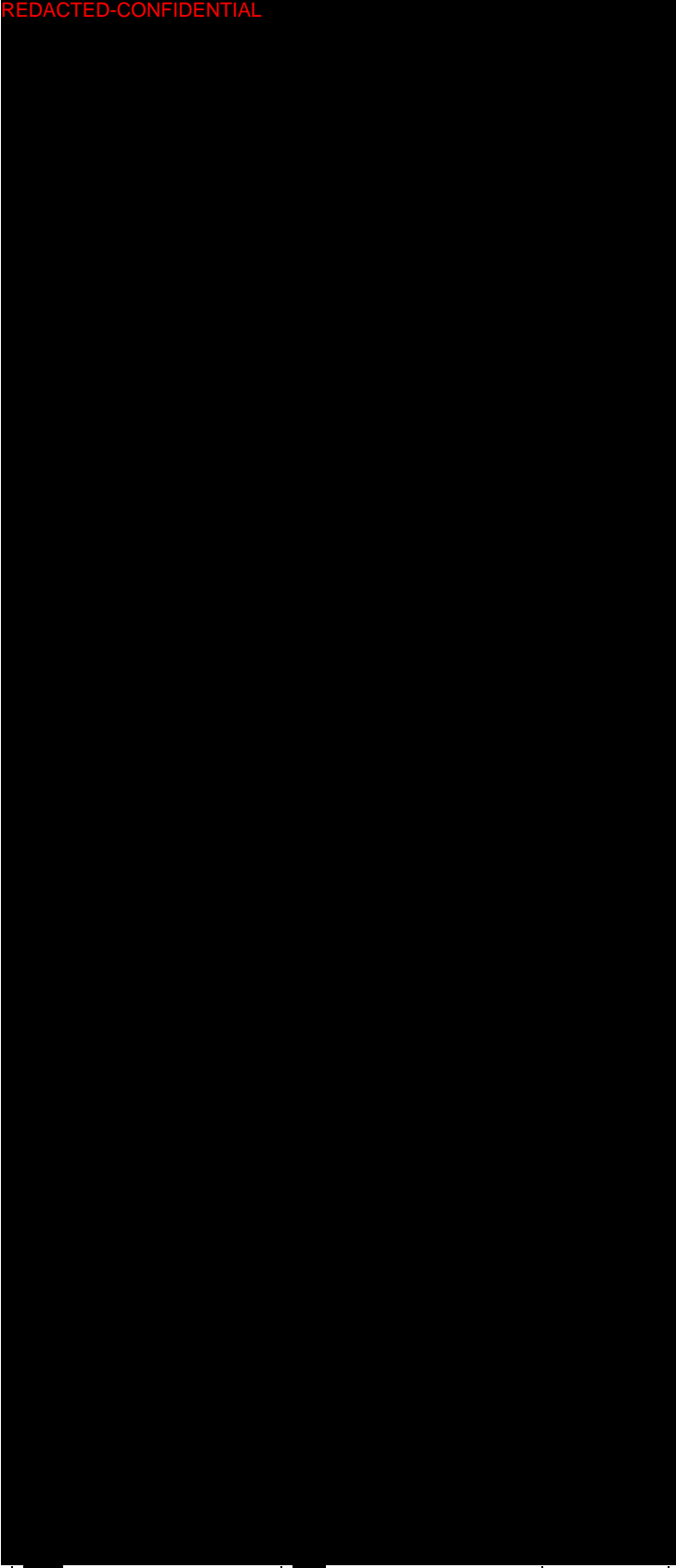
You have a right to review your personal information that has been collected. If any of this information is incorrect, you have right to have it corrected. If any of this

information is saved when it is no longer necessary to do so, you have a right to have it deleted. You can exercise these rights by contacting REDACTED-
CONFIDENTIAL .

INTERNATIONAL TOLL FREE ACCESS LIST

REDACTED-CONFIDENTIAL





REDACTED-CONFIDENTIAL



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