

## **Report of the Ombudsperson**

### **Ombudsperson's recommendations: progress on implementation**

#### **Report by the Director-General**

1. The present document provides an overview of action taken by the Secretariat in response to the recommendations contained in the Ombudsperson's report submitted to the Executive Board.<sup>1</sup> The human resources update<sup>2</sup> provides additional information on action and initiatives that further address challenges identified and recommendations made by the Ombudsperson.
2. The Office of the Ombudsperson has identified three systemic areas for further consideration and action as the Secretariat deems appropriate:
  - (a) providing greater support to individuals, including managers;
  - (b) promoting continued improvement in performance discussions; and
  - (c) need for restorative processes.

#### **PROVIDING GREATER SUPPORT TO INDIVIDUALS, INCLUDING MANAGERS**

3. The report of the Ombudsperson flags that managers, in particular managers who are new to the Organization, require additional support to efficiently use the operational planning processes to review the workload and ensure that workforce plans are fit-for-purpose, with clear prioritization, clear options and implications for different levels of capacitation and financing. In this regard, capacity-building for managers will be reviewed in relation to the current curriculum for the Pathways to Leadership programme, and areas for additional managerial training will be identified for inclusion in the curriculum. In addition, a proposal to expand coaching services has been prepared and will be proposed through operational planning for the biennium 2024–2025. The recommendations concerning expansion and improvement of the WHO global mentoring programme will be reviewed for inclusion in the planning for the next biennium.

---

<sup>1</sup> See document EB154/INF./3.

<sup>2</sup> See document EB154/47.

## **PROMOTING CONTINUED IMPROVEMENT IN PERFORMANCE DISCUSSIONS**

4. Workshops for managers across the regions to address performance issues are delivered in collaboration with the Department of Human Resources and Talent Management, the Office of the Ombudsperson and the Department of Staff Health and Wellbeing. Additional efforts are planned for 2024–2025 with an update of the performance management system, policies and guidance, based on recommendations from an external review, and with the collaboration of stakeholders across the major offices. Further investments will be made to promote a respectful, safe and healthy work environment, through the establishment of a consolidated workplan for the next biennium, with input from all stakeholders and with a focus on collective priorities, including strengthening evaluative, peer and colleague relationships.

## **NEED FOR RESTORATIVE PROCESSES**

5. The Organization is mindful of the need to ensure that investigations into any type of allegation are conducted expeditiously and it has taken action, both at the policy level by including standards and benchmarks in the policy framework and at the operational level by setting up an electronic tool to monitor and manage disciplinary cases effectively.

6. The Organization's new Policy on Preventing and Addressing Retaliation aligns with the best practice of other international organizations in defining retaliation and addressing gaps in the protection of whistle-blowers. It focuses on the Office of Internal Oversight Services as the entry point for any type of allegation to ensure a seamless investigation process, while maintaining the role of Ethics in recommending effective measures for protection from retaliation. Strong collaboration between Investigations, Ethics and Human Resources is key to ensure the timely implementation of protective measures and to provide effective protection for whistle-blowers.

7. The Organization takes a strong stand against any form of abusive conduct and sexual misconduct. In taking action to prevent and address misconduct, the Organization is guided by the need to observe due process rights of all parties, ensuring a transparent and timely process and communicating outcomes and decisions. The relevant policies further include provisions to address abuse of process and claims submitted in bad faith, which is essential to ensure the credibility of the Organization's processes.

8. As recommended by the Ombudsperson, action is taken in close collaboration with all stakeholders to restore a respectful workplace culture for staff members that have been adversely affected by disciplinary processes and to minimize any unintended consequences resulting from these processes.

## **FOLLOW-UP ON RECOMMENDATIONS FROM THE PREVIOUS REPORT OF THE OMBUDSPERSON<sup>1</sup>**

### **The place of informal resolution in the internal justice system: informal first**

9. Efforts to engage staff members in informal resolution by addressing their concerns before they submit their grievances through the internal justice system include facilitation and development of individual case solutions by the Department of Human Resources and Talent Management, especially

---

<sup>1</sup> See document EB152/INF./3.

in the area of performance management and grievances related to conflict in the workplace. In this connection, several initiatives are under way, such as:

- (a) training on the informal and formal justice system and respectful workplace to raise awareness of staff rights and the benefits of resolving grievances informally;
- (b) proposing the creation of the post of a staff relations officer, who would help staff members to informally resolve work-related conflicts. The proposal has been discussed with the WHO staff associations and aims at implementing one of the recommendations from the Internal Justice System of WHO/UNAIDS and Affiliated Entities Review, conducted by an external consultant during the first half of 2022; and
- (c) addressing specific cases regarding workplace conflict and/or employment-related concerns in regular meetings with representatives from the Department of Human Resources and Talent Management, the Office of the Director-General, the Office of Compliance, Risk Management and Ethics, the Office of the Ombudsperson and the Department of Staff Health and Wellbeing Services. This allows options to mitigate conflicts to be explored until a long-term solution is found.

10. Alongside these efforts, when a staff member formally accesses the internal justice system by submitting a request for administrative review, the administrative review team at the same time explores options for informal resolution, in consultation with the staff member. In 2022, more than 14% of requests were amicably resolved with the staff member concerned, leading to the withdrawal of their request.

### **One workforce: one respectful workplace**

11. The global task force, established in November 2020 at the Director-General's request and which included the Ombudsperson's participation, reviewed the use of WHO's existing contractual modalities and their impact on the workforce. The task force submitted its final report in December 2022, which contained six overarching recommendations and 27 subrecommendations.

12. The task force's recommendations are interdependent and are currently being addressed in a two-fold manner, by:

- (a) using existing contractual modalities appropriately and for their intended purpose. In this regard, particular consideration has been given to streamlining position and contract types and how transitions from temporary to fixed-term appointments can be facilitated. A key element in this context has been to develop a new proposed contractual framework for WHO, which will provide clarity and simplicity, to guide managers in the use of the appropriate contract types. To facilitate this, the new Business Management System and Workday platform are currently being implemented, and these adaptations are being designed to work in the new environment. This will allow the approval processes currently under the Global Management System to be simplified and will centralize the management of the entire workforce under the human resources business stream of the system; and

(b) introducing a new WHO “non-staff” contract type (WHO service agreement) to adequately address the status of significant portions of the “WHO affiliate workforce”. This contract type is designed to enable the provision of specialized expertise, technical or administrative services, or support to specific projects or activities at either the international, national or local levels, through a streamlined approval and planning process. Thus, this would allow a faster and more agile way to support evolving business needs.

### **Hybrid working environment**

13. The policy on flexible working arrangements came into force on 1 September 2022 and remains in place, with adaptations being applied per major office. The policy will be subject to review in 2024 further to lessons learned and will provide an opportunity to assess how the policy has contributed to the success of the Organization to fulfil its mandate, as well as the ability of individuals to achieve an appropriate work–life balance. A key factor of the flexible working arrangements is to ensure that all staff members have a balance between working in office premises and working remotely.

= = =