



# World Bank Group Procedure

## Peer Review Procedures

### **Bank Access to Information Policy Designation**

Official Use Only

### **Catalogue Number**

EXC11.04-PROC.104

### **Issued**

October 25, 2016

### **Effective**

October 25, 2016

### **Content**

This Procedure, "Peer Review Procedures" govern the World Bank Group ("the Bank") peer review process pursuant to Staff Rule 9.03, "Peer Review Services," and apply to cases submitted to the Peer Review Secretariat on or after July 1, 2009.

### **Applicable to**

IBRD,IDA,IFC,MIGA,ICSID

### **Issuer**

President, IBRD/IDA, IFC and MIGA, EXC;

### **Sponsor**

Managing Director and Chief Administrative Officer, MDCAO;

## SECTION I - PURPOSE AND APPLICATION

- 1.01 This Procedure, "Peer Review Procedures," govern the World Bank Group ("the Bank") peer review process pursuant to Staff Rule 9.03, "Peer Review Services," and apply to cases submitted to the Peer Review Secretariat on or after July 1, 2009.
- 1.02 This Procedure applies to the institutions of the World Bank Group.

## SECTION II - DEFINITIONS

- 2.01 Capitalized terms in this Procedure have the meanings ascribed to them in Staff Rule 1.01, "General Provisions," and Staff Rule 9.03, "Peer Review Services."

## SECTION III - SCOPE

### **03. General Provisions**

#### **A. Submission and Transmittal of Documents**

- 3.01 All documents intended for consideration in the peer review process shall be submitted to the Peer Review Secretariat ("Secretariat") and shall conform to the requirements contained in Staff Rule 9.03, "Peer Review Services," and this Procedure (collectively, the "Rule"). All forms referenced in this Procedure are available from the Peer Review Services website or from the Peer Review Secretariat. Requesting Staff Members and Responding Managers may not submit any documents unless expressly permitted to do so under this Rule or requested by the Peer Review Chair or a Panel to do so.
- 3.02 Staff members who submit hard copies of documents to the Secretariat shall provide the original plus six copies of the document. Staff members whose official duty station is outside of Washington, DC, are exempted from this requirement and are permitted to submit the original document with no copies.
- 3.03 The Secretariat is responsible for: (i) transmitting copies of the submissions it receives from a party to the other party and to the Peer Review Chair or Panel, as appropriate; (ii) recording the dates upon which it receives and transmits such submissions; (iii) transmitting the requests and rulings of the Peer Review Chair and Panel to parties; and (iv) notifying a party when a response on his or her part is permitted or required, and if so, when such a response is due.

#### **B. Extensions of Time**

- 3.04 Except as provided under Staff Rule 9.03, "Peer Review Services," Section 8, "Time Limitations for Submitting Requests for Review," no extensions of time will be granted for submitting Requests for Review or Responses. The Peer Review Chair may, upon written request of a party, grant an extension of time of up to seven calendar days for any other deadline for submissions to the Panel.

## **C. Suspension of Proceedings**

3.05 The Peer Review Chair or a Panel may at any time, independently or upon the written request of either party, temporarily suspend the proceedings for a reasonable period of time not to exceed six months to allow for efforts at informal resolution or for other good cause.

## **04. Initial Proceedings**

### **D. Submitting a Request for Review**

4.01 A Requesting Staff Member may request review of a disputed employment matter by completing a Request for Review Form and submitting it, along with its attachments, to the Peer Review Secretariat within the deadlines set out in Staff Rule 9.03, "Peer Review Services," Section 8, "Time Limitations for Submitting Requests for Review." Both the Request for Review Form and associated attachments must be received by the Peer Review Secretariat on or before the deadline to be considered timely. They may be submitted as follows:

- electronically at [peerreview@worldbank.org](mailto:peerreview@worldbank.org);
- in person at Room G4-191;
- by mail to MSN-G4-400; or
- by fax at (202) 522-2709.

4.02 To complete the Request for Review Form, the Requesting Staff Member must: (i) describe the disputed employment matter; (ii) state when s/he received notice of the disputed employment matter; (iii) identify the manager responsible for the disputed employment matter; (iv) provide the relevant facts; (v) explain the basis upon which s/he believes the disputed employment matter was inconsistent with his/her terms of appointment and/or conditions of employment; (vi) list and attach not more than 10 supporting documents not exceeding 50 pages in length and identify any other documents s/he requests the Panel to consider; (vii) list persons that s/he would suggest the Panel call as witnesses at the hearing; (viii) describe the relief s/he is requesting; and (ix) sign the Request for Review Form.

### **E. Initial Review of a Request for Review**

4.03 After the Secretariat's receipt of a Request for Review, the Chair or a Panel may: (i) dismiss the Request for Review, in whole or in part, as untimely under Staff Rule 9.03, "Peer Review Services," Section 8, "Time Limitations for Submitting Requests for Review;" (ii) dismiss the Request for Review, in whole or in part, because it raises an issue outside the permitted scope of Peer Review under Staff Rule 9.03, "Peer Review Services," Section 7, "Review of Disputed Employment Matters;" (iii) refer the case to another office or individual within the Bank for informal resolution or review, pursuant to Staff Rule 9.03, "Peer Review Services," paragraph 11.02 or 11.03; or (iv) take other action to facilitate the fair and efficient resolution of the case, consistent with the provisions of Staff Rule 9.03, "Peer Review Services," paragraph 11.02 or 11.03. Alternatively, the Secretariat may forward the Request for Review to management for a response.

- 4.04 When the Secretariat forwards a Request for Review to management for a response, the Responding Manager will be the manager with direct responsibility over the disputed employment matter, even if s/he was not present when it occurred.

## **F. Responding to the Request for Review**

- 4.05 Within 45 calendar days of receiving a Request for Review from the Secretariat, the Responding Manager shall submit a Response Form to the Secretariat. In doing so, the Responding Manager must: (i) provide the relevant facts; (ii) explain the basis upon which s/he believes the disputed employment matter was consistent with the Requesting Staff Member's terms of appointment and/or conditions of employment; (iii) list and attach not more than 10 supporting documents not exceeding 50 pages in length and identify any other documents s/he requests the Panel to consider; (iv) list persons that s/he would suggest the Panel call as witnesses at the hearing; and (v) sign the Response Form. If the Responding Manager fails to submit a Response to the Request for Review within 45 calendar days, then the Request for Review will proceed to the next stage of the peer review process.

## **05. The Panel**

### **G. Panel Designation**

- 5.01 Whenever a Request for Review is submitted, the Peer Review Secretariat shall, no later than 10 calendar days after receiving the Responding Manager's Response, designate a Panel to review the case. The Panel shall consist of three Peer Review Members. In designating the Panel, the Secretariat shall pay due regard to: (i) the criteria set out in Staff Rule 9.03, "Peer Review Services," paragraph 4.03, "Peer Review Panels;" (ii) the Peer Review Members' impartiality, as discussed in paragraph 5.02 of this Procedure; and (iii) the Peer Review Members' availability to participate in the timely review of the case, including attending a hearing.
- 5.02 Before assigning a Peer Review Member to review a case, the Secretariat shall consult with the Peer Review Member to determine whether he or she is in a position to review the case impartially. A Peer Review Member shall recuse himself/herself from participating in the review of any case if: (i) it involves a matter with which s/he has dealt administratively; (ii) it involves a staff member with whom s/he has or has had a close personal or professional association; or (iii) for any reason the Peer Review Member believes s/he cannot be impartial in reviewing the case.
- 5.03 The Secretariat shall promptly notify the parties of the Peer Review Members designated to serve on the Panel in their case and of the parties' right to object to any designated Panel Member's impartiality. The parties shall have 7 calendar days from receipt of such notice to object in writing to the impartiality of a designated Panel Member.
- 5.04 The Peer Review Chair shall determine whether a challenge to a Panel Member's impartiality is justified. If the Peer Review Chair finds the challenge to be justified, the Peer Review Secretariat shall designate a new Panel Member to replace the challenged Panel Member.
- 5.05 If at any time a designated Panel Member becomes unavailable or ineligible to continue serving on a case, the Secretariat shall follow the procedures set forth above to designate a new Panel Member.

## **H. Voting Quorum**

- 5.06 For hearings and meetings to decide based on the written submissions of the parties, all three Panel Members shall attend (either by being physically present or by videoconference, teleconference, or other technological means), participate in the deliberations, and decide by majority vote questions relating to the merits of the case and the Panel's recommendations relating to its final disposition.
- 5.07 For any other act or thing required or permitted to be done by a Panel, only the concurrence of two Panel members is required.

## **06. Review of Merits**

### **I. Written Proceedings**

- 6.01 Although Panels will ordinarily hold a hearing for every Request for Review submitted, a case may be reviewed based only on the written submissions under the conditions set forth in Staff Rule 9.03, "Peer Review Services," paragraph 11.06. This is known as a "Written Proceeding."
- 6.02 A Requesting Staff Member may elect at the time s/he submits a Request for Review not to have a hearing. After the Secretariat receives the Responding Manager's Response, the Requesting Staff Member may change his/her election only with the agreement of the Responding Manager and the Panel.
- 6.03 Cases reviewed on the written submissions alone shall proceed as follows:
- a. After the Responding Manager has submitted his/her Response, the Panel shall resolve any outstanding issues relating to the documents that the Panel needs to review the case.
  - b. Once the Panel has all the documents that it needs to review the case, the Secretariat shall notify the Requesting Staff Member that s/he has 14 calendar days to file a Reply Form. In the Reply, the Requesting Staff Member may only address evidence and arguments presented in the Response, and may not raise new issues.
  - c. The Responding Manager shall have 14 calendar days from receipt of the Reply to file a Final Response Form. In the Final Response, the Responding Manager may only address evidence and arguments presented in the Reply, and may not raise new issues.
  - d. Within 30 calendar days of receiving the Final Response, the Panel will meet to review the case based on the written submissions. Attendance at the meeting shall be limited to the Panel and Secretariat staff. No party or witness shall be allowed to appear or give evidence at the meeting.

### **J. Pre-Hearing Matters**

- 6.04 In cases that will include a hearing, and a panel has been designated, the Peer Review Secretariat will coordinate the scheduling of a hearing date with the parties and the panel members. The hearing must take place within 90 calendar days of the date of the submission of the Manager's Response or as soon thereafter as possible. Parties are responsible for ensuring that any proposed witnesses they identified are available the date of the hearing.

Witnesses may testify in person or via telephone conference. A hearing will not be postponed because a witness is unavailable to testify in person or via telephone conference on the date of the scheduled hearing.

- 6.05 The Secretariat shall notify the parties, the witnesses, and the responsible Country Director or Country Office Manager (when the hearing will be held at or in coordination with a Country Office) in writing of the hearing date and location. Once such notice is issued, the hearing date cannot be changed, absent exceptional circumstances as determined by the Panel.
- 6.06 Upon receipt of the Manager's Response, the Panel, or if a Panel has not been designated, then the Peer Review Chair, will take the following steps to facilitate its review of the case:
- a. Resolve any questions regarding the timeliness of the Request for Review under Staff Rule 9.03, "Peer Review Services," Section 8, "Time Limitations for Submitting Requests for Review;" and the Peer Review Panel's authority to review the Request under Staff Rule 9.03, "Peer Review Services," Section 7, "Review of Disputed Employment Matters;"
  - b. Consider whether the case should be referred to another office or individual in the Bank for informal resolution or review, as permitted under Staff Rule 9.03, "Peer Review Services," subparagraph 11.03 (a);
  - c. Resolve any outstanding document issues, including whether to obtain any additional documents;
  - d. Decide on the witnesses to be called during the hearing as suggested by the parties and, when appropriate, request additional witnesses as otherwise needed by the Panel; and
  - e. Resolve any issues regarding the hearing location, taking into consideration such factors as: (i) the location of the parties, witnesses, and Panel; (ii) the wishes of the parties; (iii) fairness to the parties; (iv) available technology; (v) administrative burden; and (vi) cost.
- 6.07 In cases where the hearing will not be held at the Requesting Staff Member's duty station (or his/her last duty station in the case of a former staff member), the Requesting Staff Member may submit a Request for Travel Expenses within 7 calendar days of receiving written notice of the hearing date and location. The Panel may recommend that the Requesting Staff Member's travel expenses be reimbursed in whole or in part if it believes that the Requesting Staff Member's personal presence at the hearing is necessary to avoid prejudice.
- 6.08 If the Panel supports the Request for Travel Expenses, in whole or in part, the Secretariat shall submit the Panel's recommendation to the decision-maker identified in Staff Rule 9.03, "Peer Review Services," paragraph 12.01, for decision. The authorized class of travel is economy class at excursion fares where available. All travel arrangements must be approved by the Peer Review Secretariat. No more than 4 days of per diem and hotel expenses will be approved.

## **K. Hearings**

- 6.09 The Panel will be responsible for the conduct of hearings and will decide which witnesses are called, in what order they are called, and who questions the witnesses.

- 6.10 Attendance at hearings shall be limited to the following individuals: (i) the Panel; (ii) the Secretariat staff; (iii) the Requesting Staff Member; (iv) the Responding Manager; (v) the parties' advisers pursuant to Staff Rule 9.03, "Peer Review Services," Section 9, "Assistance Available to Participants in the Peer Review Process;" (vi) approved witnesses, who may only be present in the hearing while testifying; and (vii) an observer, such as a Peer Review Counselor in training, if both parties consent.
- 6.11 Those participating in the hearing may do so by personal appearance, teleconference, videoconference, or other technological means at the discretion of the Panel. Individuals present at the hearing location on the day of the hearing shall participate in person.
- 6.12 At the hearing, the Panel may permit the parties to make a brief statement; to answer questions; and to question witnesses.
- 6.13 The parties and all witnesses who participate at the hearing are obligated to be truthful.

#### **L. The Panel's Report**

- 6.14 Upon the conclusion of the proceedings, the Panel shall decide whether to recommend relief for the Requesting Staff Member and/or other corrective action. The Panel shall summarize its findings and recommendations in a Report.
- 6.15 The Secretariat shall submit the Panel's Report to the decision-maker as specified in Staff Rule 9.03, "Peer Review Services," paragraph 12.01. The Panel's Report shall be submitted as soon as possible after the conclusion of deliberations and every effort will be made to do so within 21 calendar days of the deliberations.

### **07. Decisions**

#### **M. Decisions on Requests for Review**

- 7.01 A decision whether to present the Panel's recommendation to the Requesting Staff Member shall be made according to the provisions of Staff Rule 9.03, "Peer Review Services," Section 12, "Decisions on Requests for Review." If the decision-maker would find it helpful to meet with the Panel to discuss the rationale for the Panel's recommendations, such a meeting may be held. Once the decision-maker reaches a decision, s/he shall provide written notice of the decision, along with a copy of the Panel's Report to: (i) the parties; (ii) the Peer Review Executive Secretary; and, if the staff member has not objected, (iii) the Ombuds Services Office. Any individuals or offices who need to be notified of a case's resolution in order to implement it may be notified.

#### **SECTION IV - EXCEPTION**

None

#### **SECTION V - WAIVER**

The Issuer may waive any provision of this Procedure with advice from the Managing Director and Chief Administrative Officer, MDCAO.

## **SECTION VI - OTHER PROVISIONS**

None

## **SECTION VII - TEMPORARY PROVISIONS**

None

## **SECTION VIII - EFFECTIVE DATE**

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

## **SECTION IX - ISSUER**

The Issuer of this Procedure is the President, IBRD/IDA, IFC and MIGA, EXC.

## **SECTION X - SPONSOR**

The Sponsor of this Procedure is the Managing Director and Chief Administrative Officer, MDCAO.

## **SECTION XI - RELATED DOCUMENTS**

Directive, Staff Rule 9.03 - "Peer Review Services"

Questions regarding this Procedure should be addressed to the Sponsor.