

Accountability Framework

Introduction

1. Strengthening accountability is an important part of improving the internal governance of the Centre; it supports organizational performance and improves the delivery of results, and it also provides assurance to the ILO, ILO constituents and to donors. It requires that each official observes the core values of the ILO and the highest standards of conduct and integrity.
2. Measures introduced to strengthen accountability include results-based management (RBM), an internal letter of representation, a register of financial interests and related party disclosures, a risk register, and procedures to track implementation of the recommendations of the External Auditor and Internal Auditor.
3. This circular describes the standards and mechanisms which comprise the Accountability Framework of the Centre and clarifies the duties and responsibilities of officials under it. It does not replace, nor modify, the relevant official texts (Statute, Regulations, Rules, circulars and administrative procedures) which establish the precise accountability of officials in specific areas. Neither does it restate their content in detail. Officials are expected to familiarize themselves with the details of these specific texts and observe their provisions.¹
4. Part I describes the various elements of the Accountability Framework. Part II identifies the key standards which govern the performance and conduct of officials. Part III describes the various mechanisms in place to promote and monitor compliance.

Part I: Accountability Framework

5. The Accountability Framework comprises the full range of legal instruments, regulations and rules, policies, procedures and formally documented functions, responsibilities and authorities which, taken as a whole, establish the accountability of officials at all levels for their decisions, actions and omissions.

¹ All officials have a “self-informing” duty, that is to regularly inform themselves of organizational policies and decisions which impact on their duties and responsibilities.

6. It is underpinned, by the values and principles set down in the ILO Constitution, the Statute of the Centre and the Standards of Conduct of the International Civil Service (2013).
7. It is guided by a set of core principles which inform all accountability policies, processes and procedures. These are:
 - clarity of responsibility,
 - alignment of accountability with organizational-wide goals,
 - delegation of authority,
 - cost-benefit considerations,
 - performance monitoring and reporting, and
 - the highest standards of integrity and ethical conduct.
8. All officials are covered by the Accountability Framework by virtue of their employment contracts, which not only confer rights but also create obligations.² The latter include the obligation to fulfil the tasks assigned to them, to comply with the Staff Regulations and other applicable regulations, rules and procedures. Specific accountabilities are defined for officials who exercise statutory or delegated authorities and responsibilities which are normally set down in separate rules, procedures and circulars.
9. The Centre, through the ILO Constitution, enjoys in ILO member States, such privileges and immunities as are necessary for the fulfilment of its purposes. The purpose of privileges and immunities is to enable the Centre to effectively carry out its mandate. Immunities are extended to all officials for the performance of their functions.³
10. In line with results-based management principles, responsibility and authority may be delegated to different levels. Officials at all levels are accountable to the Director through their respective immediate chiefs, responsible chiefs and higher level chiefs, as appropriate.

Part II: Standards of conduct and performance

11. There are a number of standards which govern the individual conduct and performance of officials. Some obligations arise from their status as United Nations officials while others are specific to the Centre or embodied in the standards established for specific professions.⁴

Standards of conduct

12. The **United Nations Charter** highlights the necessity for personal accountability for staff of the United Nations and addresses the issue of the independence of

² The rights conferred by employment contracts are as set out in “offers of appointment” and in the relevant provisions of the Staff Regulations and other internal documents.

³ The 1947 Convention on the Privileges and Immunities of the Specialized Agencies and its Annex relating to the ILO specify privileges and immunities that the Organization and its officials enjoy in member States that have ratified the Convention.

⁴ Professional standards include those related to the medical, accounting and auditing professions.

the international civil servant as follows: “In the performance of their duties, staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.”⁵

13. This is reiterated in article 4.1 of the **Staff Regulations**. Officials are required to sign a **Declaration of Loyalty** undertaking to carry out their functions with loyalty and discretion and to discharge their functions and regulate their conduct with the interests of the Centre alone in view, and not to seek or accept instructions in regard to the performance of their duties from any government or other authority external to the Centre.⁶
14. The Director is accountable to the Board for the proper stewardship of all resources entrusted to the Centre. In order to meet this obligation, the **Statute, the Financial Regulations and Financial Rules** ascribe responsibilities and accountabilities to specific officials for ensuring that financial duties and obligations are carried out in full compliance with these regulations and rules.⁷
15. Managers are responsible for the sound financial management of their operations. This requires them to act at all times with probity and prudence and in accordance with strict ethical standards in the use of resources. Officials holding signature authority are required to sign an acknowledgement of their responsibility and confirm the delegation of financial authorities to named members of their staff.⁸ Despite this delegation, they remain personally accountable for the sound financial management of their operations and the resources put at their disposal.
16. Notwithstanding the specific responsibilities mentioned above, all officials are required to respect the Financial Regulations, Financial Rules and administrative procedures, and follow those recommendations of the External Auditor and Internal Auditor, which have been accepted by the Centre and communicated appropriately.
17. The **internal letter of representation** is a written confirmation by managers that they have duly exercised delegated financial authorities and responsibilities.⁹ Managers have a responsibility to ensure that they optimize the use of resources for the achievement of results.
18. In order to prevent fraud and dishonesty, the Centre has an explicit **anti-fraud policy**.¹⁰ This is based on a zero tolerance approach to fraud and dishonesty. It provides for the thorough investigation of every case of fraud, presumption of fraud or attempted fraud or dishonesty, and for disciplinary action to be taken in the event that the official is found to have acted inappropriately. Officials are required to report any case of fraud, presumption of fraud or attempted fraud to the Director through the Treasurer and Chief of Financial Services. Officials are

⁵ See www.un.org/en/documents/charter/index.shtml

⁶ See article 4.1 of the Staff Regulations.

⁷ See <http://intranetp.itcilo.org/finserv/documentation>. An official who contravenes the Financial Regulations and Financial Rules, or corresponding administrative instructions, may be held financially liable for his/her actions.

⁸ FINSERV Circular No. 03/2014 entitled *Signature Authority*, dated 30 September 2014.

⁹ Circular FINSERV No. 01/2010 entitled *ITC-ILO Internal letter of representation*, dated 15 April, 2010.

¹⁰ Circular DIR No. 01/2013 entitled *Prevention and Detection of Fraud*, dated 6 December, 2013.

also required to submit full details of cases of fraud, presumption of fraud, or attempted fraud to the External Auditors.

19. Each official, to whom authority has been delegated for the use of resources, is responsible for ensuring compliance with the established procedures¹¹ and acting prudently and ethically to provide reasonable assurance for the prevention and detection of fraud and other irregularities.¹² Day-to-day responsibility for the prevention and detection of fraud, corruption and other inappropriate conduct rests with managers.
20. Procedures for identifying and managing potential or existing **conflicts of interest** have been clarified.¹³ A conflict of interest can compromise, or be perceived to compromise, the objectivity and impartiality of officials in the discharge of their official duties. Financial interests of officials as a result of family and personal relationship, gifts, benefits and hospitality received from outside sources, as well as through other business interests such as partnerships and family businesses, are also considered to be one of the main causes of conflict of interest.
21. To assist in the prevention of conflicts of interest, each official is required to complete a **Disclosure of Interests Form** upon initial appointment and regularly thereafter at intervals decided by the Centre. A file with these forms is kept by FINSERV.
22. Officials with specific functional areas of responsibility are required also to make a disclosure in the form of a **Register of Financial Interests**.¹⁴ This mechanism ensures that all activities are carried out in a manner above reproach, with complete impartiality and with no preferential treatment. The register includes a report of any income, gifts or other allowances that have been received either by the official or a close family member due directly or indirectly to the official's employment. The disclosure form also requires identification of the official's involvement or interest in any entity having a commercial relationship with the Centre.
23. The Centre has established rules for **Employment and other types of contracts with close relatives of officials** that set down uniform and transparent procedures related to the recruitment and employment, and/or issuing of other types of contracts, to engage the services of close relatives of officials.¹⁵ The rules aim at avoiding any risk or perception of favouritism or nepotism and ensuring compliance with appropriate internal controls while respecting the principle of non-discrimination. A close relative of an official shall be recruited only if another equally qualified person is not available. In the interest of transparency, only fixed-term contracts are used to employ the close relative of the official using standard recruitment and selection procedures. The

¹¹See also Circular FINSERV No. 08/2012 entitled *Management of property and equipment*, Circular ICTS No. 01/2013 entitled *Information technology security policy*, dated 29 April, 2013 and Circular ICTS No. 02/2013 entitled *Information technology use policy*, dated 29 April, 2013.

¹² Particular attention must be paid to the protection of passwords, financial documents and any other authorizing instrument.

¹³ Circular DIR No. 4/2011 entitled *Conflict of Interest*, dated 21 March, 2011.

¹⁴ Circular DIR No. 08/2011 entitled *Register of Financial Interests and Related Party Disclosures*, dated 14 December, 2011.

¹⁵ Circular DIR No. 05/06 (Rev.) entitled *Spouse and other family members employment policy*, dated 2 March, 2005.

proposed use of a short-term, external collaboration contract, as well as an internship or any other type of contract, to engage the services of a spouse or close relative of an official requires justification by the relevant manager and approval by the Director.

24. All officials are required to observe these principles and provisions in good faith. It is the responsibility of the official to reveal the relationship of a close relative or other relationship relevant to the implementation of the policy. It is the responsibility of an applicant to reveal the fact that a serving official is a close relative. Non-compliance by any official with these principles and provisions may lead to disciplinary action. Officials may obtain further guidance or advice on a confidential basis from the Ethics Officer.
25. The conditions under which officials will normally be authorized to engage in **outside activities** and/or accept remuneration from an outside source have been clarified.¹⁶ While officials are encouraged to participate in professional activities that widen their knowledge and understanding, the primary consideration that officials must bear in mind with respect to outside activities and remuneration is that the interests of the Centre must take precedence.
26. The **Standards of Conduct for the International Civil Service** were revised and updated by the International Civil Service Commission in 2013.¹⁷ They apply to all officials of the United Nations System. These standards complement the provisions of Chapter IV of the Staff Regulations and govern the conduct of officials both in carrying out their duties and in the activities they undertake outside the framework of such duties.
27. Enshrined in these standards are values such as respect for the equal rights of women and men, fundamental human rights, integrity, tolerance, loyalty, impartiality and independence. Strict observance of these standards is essential for the reputation of the Centre as well as for the respect and trust that the Centre enjoys on the part of the host country, governments, workers' and employers' organizations, donors and the public at large.¹⁸
28. **A policy and procedure on harassment** were put in place in 2009.¹⁹ The policy affirms the right of every official to be treated with dignity and respect and to be free from all forms of harassment in the workplace. Officials are expected to take responsibility for their own actions and to conduct themselves in accordance with the policy. Managers and supervisory staff are responsible for providing and maintaining a harassment-free working environment. All forms of harassment are contrary to the standards of conduct required of all officials.²⁰ Special procedures provide for confidential and speedy investigation and handling of harassment cases.

¹⁶ Circular HRS No. 28/2008 entitled *Rules and approval procedures governing outside activities*, dated 28 October, 2008.

¹⁷ *Standards of Conduct for the International Civil Service*, International Civil Service Commission (2013) available at http://intranet.itsilo.org/portal/hrs/english/regulation_circulars/icsc/icsc.htm

¹⁸ Circular DIR No. 01/2015 entitled *Ethics and standards of conduct* dated 2 February, 2015.

¹⁹ Circular No. 13/2009 entitled *Policy and procedures for dealing with harassment*, dated 27 March, 2009.

²⁰ Article 4.2 of the Staff Regulations.

Standards of performance

29. **Results-based management (RBM)** is defined as an approach to management that directs organizational processes, resources, products and services towards the achievement of measurable outcomes.²¹ Under RBM, officials are responsible for ensuring that programmes deliver results and achieve the targets set down in the Programme and Budget as adopted by the Board in accordance with the duties and responsibilities attaching to their grade and function.
30. The **Risk Register** helps management identify, quantify, prioritize and decide on how best to manage risks related to achieving planned results.
31. All officials have an obligation to abide by the policies and procedures set by the **United Nations Security Management System**, in particular to exercise due caution and avoid unwarranted risks to their own safety and security or to that of other officials.²² Specific responsibilities and accountabilities are also identified for managers at all levels to ensure compliance with security policy and instructions by all staff under their supervision.

Part III: Promoting and monitoring compliance

32. Officials are required to comply with their obligations under the United Nations Charter, the ILO Constitution, the Staff Regulations and other rules and procedures, and to observe the standards of conduct expected of international civil servants. Failure to do so may be considered as misconduct and subject to the sanctions prescribed in Chapter XI (Discipline) of the Staff Regulations, as appropriate.
33. While the Accountability Framework is based on the underlying principles that staff will self-inform, self-monitor and self-disclose, there are several mechanisms in place to support compliance and conformity.
34. The **Human Resources Services (HRS)** is the primary guardian of compliance with the Staff Regulations. Although all managers share this responsibility, HRS has the main responsibility, including that of elaborating Staff Regulations into official instructions which may create enforceable rights and obligations. The Staff Regulations, and related official instructions, are accessible to all officials on the intranet. Under the “self-informing” obligation, all officials are expected to familiarize themselves with these provisions and to abide by them.
35. Among its functions, HRS monitors compliance with respect to entitlements including home leave and other statutory travel, education grant, dependency allowances, social benefits (health insurance, pension and staff compensation), and engagement in outside activities.
36. The **Chief of HRS** has a specific role as adviser to the Director under article 11.1 of the Staff Regulations. Under this article, an official who fails to observe the

²¹ See CC 73/3: Results-based Strategic Plan for 2012-15.

²² HRS Circular No. 13/2011 entitled *Security Accountability Framework*, dated 27 May, 2011 and HRS Circular No. 14/2011 entitled *Security Level System and Travel Security Clearance*, dated 27 May, 2011.

standards of conduct required of an international civil servant may be subjected to one of several sanctions. This refers to a failure to observe articles 4.1 to 4.7 of the Staff Regulations, misconduct by an official in his or her official capacity or dereliction of duty.

37. **Responsible chiefs and higher level chiefs** share with HRS responsibility for managing staff in compliance with the Staff Regulations. While HRS develops or designs particular policies and processes, it is the responsibility of managers to monitor day-to-day compliance, acting upon advice or guidance from HRS, where required. The division of responsibilities and accountabilities between managers and HRS in implementing specific regulations, rules, policies and procedures is elaborated in the relevant documentation.
38. Managers are responsible for ensuring that the staff under their supervision achieve results and are held accountable for their performance in accordance with the performance management system. Overall performance is monitored by the Board through Implementation Reports.
39. The **Reports Committee** is responsible for monitoring compliance with the performance management system as well as for ensuring quality and consistency in the measurement of performance. Appropriate steps are taken to support concerned officials to bring their performance up to acceptable standards. Where such efforts fail, the Reports Committee may decide to withhold an increment on the recommendation of the responsible chief.²³ The Reports Committee may also recommend to the Director termination or non-renewal of a contract for unsatisfactory performance.²⁴
40. The **Risk Management Committee** reviews exposure to operational risks and advises the Director on all measures necessary to avoid or mitigate risks that would hinder the achievement of objectives, damage the reputation of the Centre or result in injury or loss of life, or damage or loss of assets.
41. **The ILO Office of the Legal Adviser/Office of Legal Services (JUR)** advises the Director on matters which may imply a legal obligation or risk.
42. **The Treasurer and Chief of Financial Services** is accountable to the Director for the application and implementation of the Financial Rules. This includes the responsibility to ensure that adequate internal control mechanisms are in place to safeguard financial resources and assets from inappropriate use and loss from fraud and error.
43. **The ILO Office of Internal Audit and Oversight** is responsible for internal audit, inspection, monitoring and evaluation of the adequacy and effectiveness of the system of internal control, financial management and use of assets as well as investigation of financial or administrative misconduct and other irregular activities. It receives allegations of fraud and misconduct from officials and others with the assurance that any information will be treated confidentially. In cases where irregularities are uncovered that could be considered as gross negligence or misconduct, these are referred to the Accountability Committee through the Treasurer and Chief of Financial Services.

²³ Article 7.5 of the Staff Regulations.

²⁴ Article 13.7 of the Staff Regulations.

44. The **Accountability Committee** reports to the Director through the Treasurer and Chief of Financial Services. It makes recommendations on cases of fraud, presumption of fraud and attempted fraud, as well as of dishonesty, negligence or disregard for established procedures or directives which resulted, or could have resulted, in financial or other loss or damage to property. Cases may be referred to the Committee through the Treasurer and Chief of Financial Services. The recommendations of the Committee are submitted to the Director, who may refer them to HRS, where necessary, for appropriate disciplinary action.
45. The **External Auditor** audits the accounts, including all trust funds and special accounts, and presents a report to the Board on whether the financial statements are free from material misstatement. The audit is conducted in accordance with International Standards on Auditing. The External Auditor brings to the attention of the Board any cases of fraud or presumption of fraud, and any wasteful or improper expenditure of money or other assets. Responses to recommendations of the External Auditor must be timely, effective and appropriate.
46. The **ILO Ethics Officer** is responsible for providing guidance to HRS to ensure that policies, procedures and practices reinforce and promote the ethical standards called for under the Staff Regulations and the Standards of Conduct for the International Civil Service. The Ethics Officer is also responsible for advising managers and staff, on request and on a confidential basis, on questions of ethics and those pertaining to outside activities.
47. The Ethics Officer also receives complaints of retaliation, or threats of retaliation, from officials who believe that action has been taken against them because they have reported misconduct or cooperated with an audit or investigation.²⁵

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²⁵ Circular DIR No. 01/2015 entitled *Ethics and standards of conduct*, dated 2 February, 2015.