



Bank Procedure

Personal Data Privacy Request and Review Mechanisms Procedures

Bank Access to Information Policy Designation

Public

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Content

This Procedure sets out the procedures for Requests for Information and Calls for Review pursuant to the Bank Directive Personal Data Privacy Request and Review Mechanisms.

Applicable to

IBRD,IDA

Issuer

Senior Vice President and General Counsel, LEG

Sponsor

Deputy General Counsel, LEGIA

SECTION I – PURPOSE AND APPLICATION

1. This Procedure sets out the steps for Requests for Information and Calls for Review.
2. This Procedure applies to the Bank.

SECTION II – DEFINITIONS

As used in this Procedure, the capitalized terms and acronyms have the meanings set out in: (a) the World Bank Group Policy: Personal Data Privacy; (b) the Bank Directive: Personal Data Privacy Request and Review Mechanisms; or (c) set out below:

1. Privacy Portal: The Bank's IT system for administering Privacy Self-Assessments, Data Protection Impact Assessments, Records of Processing Activity and handling Requests for Information.
2. Process Owner: The Staff responsible for a business activity that includes Processing of Personal Data. A Process Owner is determined by the factual circumstances, without regard to the Staff's position or grade level. The business activity may be a one-time activity or an ongoing program-based activity.

SECTION III – SCOPE

A. Admissibility of a Request for Information.

A Request for Information is admissible if:

1. It is submitted by the Data Subject or, where otherwise impossible, by their duly authorized representative in writing and in English language via the Privacy Portal, specifying:
 - a. Any prior contact with or exposure to the Bank to support the retrieval of information;
 - b. In case of Staff Data Subjects, if a request for available information through the Human Resource self-service portal (myHR) or other personnel administration self-service applications available to Staff has been made prior to submitting a Request for Information.
 - c. The information sought in accordance with Section III.B, paragraph 1 of the Bank Directive Personal Data Privacy Request and Review;
 - d. The reasons justifying the Data Subject's need for representation if applicable.
2. The Data Subject's identity is sufficiently established;
3. It is consistent with Section III.A, paragraph 2(c) of the Bank Directive Personal Data Privacy Request and Review Mechanisms,;
4. It is not excluded according to Section III.A, paragraph 1 of the Bank Directive Personal Data Privacy Request and Review.

B. Admissibility of a Call for Review

A Call for Review is admissible if:

1. Made formally and in English language by the Data Subject or by their duly authorized representative demonstrating the Data Subject's reasonable belief of a violation of Principles 1 – 6 and 7 (b)(i) of the Privacy Policy and noting a previous unsuccessful request to the Bank, where feasible, to correct the violation;
2. The identity of the Data Subject is sufficiently established;
3. It is consistent with Section III.A, paragraph 2(c) of the Bank Directive: Personal Data Privacy Request and Review Mechanisms;
4. It is not excluded according to Section III.A, paragraph 1 of the Bank Directive: Personal Data Privacy Request and Review Mechanism.
5. As the case may be, the Data Subject:
 - a. Submits the Call for First Tier Review within 60 days of the Data Subject's ability: (a) to gain knowledge of the end of the Processing activity; or (b) to gain a reasonable belief of the ongoing noncompliant Processing activity.
 - b. Following the determination of the First Tier Reviewer, submits an appeal in connection with the Call for Review to the Second Tier Reviewer to:
 - i. the World Bank Administrative Tribunal, in case of a Data Subject having standing before it, pursuant to the requirements of the Statute of the World Bank Administrative Tribunal.
 - ii. the External Expert Reviewer, in case of any other Data Subject, within 30 days of the determination of the First Tier Reviewer;
6. It does not fall within the authority of : (1) the World Bank Accountability Mechanism according to Resolution No. IBRD 2020-0004/IDA 2020-0003, dated September 8, 2020 (the "Inspection Panel Resolution") and Resolution No. IBRD 2020-0005/IDA 2020-0004, dated September 8, 2020 ("The World Bank Accountability Mechanism Resolution"); (2) institutions of the Sanctions System according to the WBG Policy: Sanctions for Fraud and Corruption including determinations with respect to Personal Data within the competence of the SDO/EO and Sanctions Board; (3) the Access to Information Committee or Access to Information Appeals Board according to the Bank Policy on Access to Information; (4) the Ethics and Business Conduct Department or the Integrity Vice Presidency and Human Resources Vice President regarding the determination whether misconduct occurred in connection with the Processing of Personal Data.

C. Processing of a Call for Review

1. A Data Subject may submit a Call for First Tier Review to the First Tier Reviewer within 60 days of the Data Subject's ability: (a) to gain knowledge of the end of the Processing activity; or (b) to gain a reasonable belief of the ongoing noncompliant Processing activity.

2. Within 30 days of the receipt of a Call for Review, the First Tier Reviewer:
 - a. Reviews the admissibility of the Call for Review according to Section III.B of this Procedure;
 - b. Determines whether Personal Data has been or is being Processed in violation of Principles 1 – 6 and 7 (b)(i) of the Privacy Policy;
 - c. Determines the relief to be provided pursuant to Section III.C, paragraph 2(b) of the Bank Directive Personal Data Privacy Request and Review Mechanisms;
 - d. Informs the Data Subject of its determination in writing.
3. Following the First Tier Reviewer's determination, the Data Subject may submit an appeal in connection with the Call for Review to:
 - a. The World Bank Administrative Tribunal in the case of Data Subjects having standing before the World Bank Administrative Tribunal pursuant to the requirements of and for decision in relation to the Call for Review in accordance with the Statute of the World Bank Administrative Tribunal.
 - b. The External Expert Reviewer in the case of all other Data Subjects within 30 days of the First Tier Reviewer's determination. At its next session, the External Expert Reviewer:
 - i. Reviews the admissibility of the Call for Review according to Section III.B of this Procedure;
 - ii. Reviews de novo the Data Subject's Call for Review;
 - iii. Upholds or reverses the First Tier Reviewer determination;
 - iv. Informs the Data Subject of its determination in writing.
4. The Process Owner informs the Data Subject about the implementation of the determination of the First or Second Tier Reviewer within 60 days.

SECTION IV – EXCEPTION

None.

SECTION V – WAIVER

The Senior Vice President and Group General Counsel may waive any provision of this Procedure within the Senior Vice President and Group General Counsel's functional authority.

SECTION VI – OTHER PROVISIONS

N/A

SECTION VII – TEMPORARY PROVISIONS

Requests for Information and Calls for Review in relation to Personal Data Processing by the Bank taking place between February 1, 2021 and October 1, 2021 are excluded, consistent with Section III, paragraph 7 (b) of the Privacy Policy

SECTION VIII – EFFECTIVE DATE

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

SECTION IX – ISSUER

The Issuer of this Procedure is the Senior Vice President and Group General Counsel.

SECTION X – SPONSOR

The Sponsor of this Procedure is the Deputy General Counsel, Institutional Administration

SECTION XI – RELATED DOCUMENTS

WBG Policy: Personal Data Privacy

Bank Directive: Personal Data Privacy Request and Review Mechanism

ANNEX(ES)

None.

Questions regarding this Procedure should be addressed to the Sponsor.