Working Draft: RIPE Code of Conduct: Process and Consequences (v3)

Status of This Document

This is an initial working draft based on the Python and Mozilla documents. RIPE NCC staff have updated an initial draft provided by the TF chair.

Introduction

This document describes the process to be followed by the Code of Conduct Team when handling reports.

Relation Between the Code of Conduct Team and WG Chairs (and others within RIPE)

Everyone who organises activities or fills a role within the RIPE community has a responsibility to make sure that people understand what constitutes appropriate behaviour. However, only the Code of Conduct Team is responsible for handling reports or making decisions about outcomes.

WG Chairs are responsible for their respective mailing lists and WG sessions in a *proactive* way. In contrast, the role of the CoC Team is fundamentally a *reactive* one, as it acts on the basis of reports. This is likely to be more complicated in practice, and establishing who has the final authority in every instance does not seem helpful. Instead, it is expected that the WG Chairs and the CoC Team will liaise as-needed and maintain a healthy dynamic of feedback and cooperation with one another.

Process Steps

This section describes the steps the CoC Team will take when dealing with reports.

1. Report is Submitted

People can submit reports electronically or in person. They will receive confirmation that the CoC Team has received their report and it is being reviewed. When a report is made in-person, the CoC Team member who received the report will make sure it is properly entered into the system.

The report will initially be received by one member of the CoC Team who is on duty. This person is responsible for forming an investigation group. The purpose of this triage step is to make sure the report is not seen by a wider group than necessary.

2. Investigation Group is Formed

Reports should be evaluated by three people: two members of the CoC Team and one RIPE NCC staff member who is appropriately qualified. The member of the CoC Team who initially received the report would preferably be one of the two CoC Team members in this group.

Members of the investigation group will consider whether they have a conflict of interest that makes them unable to investigate the report. The names of the parties involved (rather than the details of the report) should be enough to determine whether this is the case. If there is a conflict of interest, that person will recuse themselves so that someone else can take their place.

3. Report is Investigated

The role of the RIPE NCC staff member is to provide administrative and legal support to the volunteers on the CoC Team.

More details on investigation TBD

4. Determination is Made

Once the group has finished its assessment and feels that it properly understands the situation, it will determine whether or not the reported behaviour constitutes a breach of the Code of Conduct. If it believes that a breach has taken place, it will also agree on a course of action. One possible outcome might be that the CoC Team finds that the reporter misread the situation or did not see what they thought they had.

It is this smaller investigation group, rather than the entire CoC Team, that makes this determination. When deciding on the appropriate actions, the CoC Team will consider a range of factors, such as the severity of the breach, whether the person responsible has done anything similar in the past, and the impact their behaviour has had on others.

In cases where it believes that strong consequences should be applied, such as expelling someone from a RIPE Meeting, the CoC Team may notify or seek input from other parties, such as the RIPE NCC's Events Team or Legal Department. However, while it might seek input from other parties, only the CoC Team is responsible for making its assessment.

Once the group has made its determination, the relevant parties will be notified of the outcome as appropriate. In all cases, both the person who made the report and the subject of the report should be informed.

5. Required Actions Are Taken

Once the investigation group has decided on next steps, it will arrange for them to be implemented as soon as is practical and appropriate. Depending on the outcome, the RIPE NCC may need to take certain actions. In this case, the RIPE NCC staff member who

supported the investigation group will be responsible for following up. They will report back to the CoC Team as appropriate.

People who dispute a determination made by the CoC Team have the right to appeal. In such an instance, they can contact the RIPE Chair Team directly. Appeals can only dispute the severity of the consequences applied by the CoC Team rather than the facts of the report. An appeal will also likely not prevent certain actions from being taken. For example, someone who is ordered to leave the RIPE Meeting will not be able to remain at the meeting while their appeal is being considered.

6. Evaluation is Recorded

The RIPE NCC will record both reports and evaluations in a system that allows it to manage any consequences, such as mailing list bans and maintain appropriate records.

The RIPE NCC system should also be able to provide statistics that help Code of Conduct Team members understand if there is a pattern of behaviour. It should also be able to provide statistics that can be shared with the community for transparency (number of reports submitted over a certain period, categories, percentage of reports upheld, summary of consequences that have been applied, etc).

[Will we need to be more specific regarding how information will be archived? Guess that can come later if so]

Potential Consequences of Violating the CoC

This section outlines some of the possible consequences that may result from violating the RIPE Code of Conduct. It is important to be clear that these are all examples and this is not a definitive list. This is especially the case as not every form of participation is described, such as via instant messaging or virtual events. Both lists are ordered on a scale from least to most serious.

When deciding where on this scale a specific case belongs, the Code of Conduct Team will consider a number of different factors, such as the severity of the breach, whether that person has done anything similar in the past, and how they have affected others. The CoC Team are empowered by the RIPE community to apply their best judgment when selecting a consequence for an action.

Meeting Sessions and Social Events

1. Asked to apologise
2. Removed from the room for a period of time to allow emotions to settle
3. Removed from the room for the remainder of a session
4. Removed from the meeting venue for the remainder of the day
5. Removed from the social event for the remainder of that event
6. Removed from the meeting venue for the remainder of the meeting

7. Not allowed to attend future events for a period of time
8. Permanently banned from attending RIPE events

Note: in the case of virtual events, these real-world consequences would correspond to their virtual equivalent where practical (i.e. someone might be asked to leave a conference call to calm down for a few minutes rather than leaving a physical room).

Mailing List

1. Asked to apologise
2. Publicly told not to repeat a kind of post
3. Temporary ban from posting to the list
4. Permanent ban from posting to the list
5. Temporary ban from posting to any RIPE mailing list
6. Permanent ban from posting to any RIPE mailing list

Loss of Community Role

The procedures to remove people from various roles within the community are covered in the relevant RIPE Documents. The CoC Team does not have any additional powers in this regard, and so this is not a consequence it can apply. However, it may be the case that a person is no longer able to carry out their role due to other consequences being applied following a serious breach of the CoC, such as being banned from mailing lists or prevented from attending RIPE events.

Code of Conduct Team

General

- Have a pool of seven active team members and up to seven reserve team members who can be called upon to be trained and begin their duties within three months of a vacancy arising.
- Volunteers must agree to take the third party training to be organised by the RIPE NCC between being accepted as a member of the active team and formally joining the team.

Criteria

- Volunteers must agree to submit to a due diligence check be performed by ? and shared with ? to inform their evaluation. The check should identify any significant reasons that the volunteer is unsuitable to serve. e.g. a criminal conviction arising from unethical behaviour.

Procedure

- Have a permanently open call for volunteers, with a form that needs to be submitted to ? and evaluated by ?

Dismissal

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V2 for reference

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Introduction

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Relation Between the Code of Conduct Team and WG Chairs (and others within RIPE)

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WG Chairs are responsible for their respective mailing lists and WG sessions in a *proactive* way. In contrast, the role of the CoC Team is fundamentally a *reactive* one, as it acts on the basis of reports. This is likely to be more complicated in practice, and establishing who has the final authority in every instance does not seem helpful. Instead, it is expected that the WG Chairs and the CoC Team will liaise as-needed and maintain a healthy dynamic of feedback and cooperation with one another.

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2. Investigation Group is Formed

Reports should be evaluated by three people: two members of the CoC Team and one RIPE NCC staff member who is appropriately qualified. The member of the CoC Team who initially received the report would preferably be one of the two CoC Team members in this group.

Members of the investigation group will consider whether they have a conflict of interest that makes them unable to investigate the report. The names of the parties involved (rather than the details of the report) should be enough to determine whether this is the case. If there is a conflict of interest, that person will recuse themselves so that someone else can take their place.

3. Report is Investigated

The role of the RIPE NCC staff member is to provide administrative and legal support to the volunteers on the CoC Team.

I'm a little uncomfortable writing much about this as I expect the training the RIPE NCC will provide (probably through a third party) will [TBD]

4. Determination is Made

Once the group has finished its investigation and feels that it properly understands the situation, it will determine whether or not the reported behaviour constitutes a breach of the Code of Conduct. If it believes that a breach has taken place, it will also agree on a course of action.

It is this smaller investigation group, rather than the entire CoC Team, that makes this determination. When deciding on the appropriate actions, the CoC Team will consider a range of factors, such as the severity of the breach, whether that person responsible has done anything similar in the past, and the impact their behaviour has had on others.

In cases where it believes that quite strong consequences should be applied, such as expelling someone from a RIPE Meeting, it may notify or seek input from other parties, such as the RIPE NCC's Event Team, Legal Department, or Managing Director.

Once the group has made its determination, the relevant parties will be notified of the outcome as appropriate. In all cases, both the person who made the report and the subject of the report should be informed.

5. Required Actions Are Taken

Once the investigation group has decided on next steps, it will implement them as soon as is practical and appropriate. Depending on the outcome, some actions will need to be taken by the RIPE NCC. In this case, the RIPE NCC staff member who supported the investigation group will be responsible for following up. They will report back to the CoC Team as appropriate.

People who dispute a determination made by the CoC Team have the right to appeal. In such an instance, they can contact the RIPE Chair Team directly. An appeal will likely not prevent certain actions from being taken. For example, someone who is ordered to leave the RIPE Meeting will not be able to remain at the meeting while their appeal is being considered.

6. Evaluation is Recorded

The RIPE NCC will record both reports and evaluations in a system that allows it to manage any consequences, such as mailing list bans and maintain appropriate records.

The RIPE NCC system should also be able to provide statistics that help Code of Conduct Team members understand if there is a pattern of behaviour. It should also be able to provide statistics that can be shared with the community for transparency (number of reports submitted over a certain period, percentage of reports upheld, summary of consequences that have been applied, etc).

[Will we need to be more specific regarding how information will be archived? Guess that can come later if so]

Potential Consequences of Violating the CoC

This section outlines some of the possible consequences that may result from violating the RIPE Code of Conduct. It is important to be clear that all of these are examples and this is not a definitive list. This is especially the case as not every form of participation is described, such as via instant messaging or virtual events. Both lists are ordered on a scale from least to most serious.

When deciding where on this scale a specific case belongs, the Code of Conduct Team will consider a number of different factors, such as the severity of the breach, whether that person has done anything similar in the past, and how they have affected others. The CoC

Team are empowered by the RIPE community to apply their best judgment when selecting a consequence for an action.

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Code of Conduct Team

General

- Have a pool of seven active team members and up to seven reserve team members who can be called upon to be trained and begin their duties within three months of a vacancy arising.
- Volunteers must agree to take the third party training to be organised by the RIPE NCC between being accepted as a member of the active team and formally joining the team.

Criteria

- Volunteers must agree to submit to a due diligence check be performed by ? and shared with ? to inform their evaluation. The check should identify any significant

reasons that the volunteer is unsuitable to serve. e.g. a criminal conviction arising from unethical behaviour.

Procedure

- Have a permanently open call for volunteers, with a form that needs to be submitted to ? and evaluated by ?

Dismissal

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V1 for reference.

Working Draft: RIPE Code of Conduct Implementation Process and Consequences Ladder

Status of This Document

This is an initial working draft based on the Python and Mozilla documents. The initial circulation is intended to include two RIPE NCC staff and the TF chair. A more developed draft will then be shared with the full TF via the mailing list.

Process

This is the process to be followed by the Code of Conduct Team. WG Chairs and other people who organise activities within RIPE have a responsibility to inform others about appropriate behaviour but do not form a part of the Code of Conduct Team by default and are not expected to be involved in following up reports or making decisions about outcomes.

That said WG Chairs are <mark>empowered</mark> to manage their WG's sessions and mailing lists. Where there is an overlap of responsibility, the WG Chairs and the Code of Conduct Team should liaise, taking account of [<mark>this is complex</mark>]

Recruitment

- Have a permanently open call for volunteers, with a form that needs to be submitted to ? and evaluated by ?
- Volunteers must agree to submit to a due diligence check be performed by ? and shared with ? to inform their evaluation. The check should identify any significant reasons that the volunteer is unsuitable to serve. e.g. a criminal conviction arising from unethical behaviour.
- Have a pool of seven active team members and up to seven reserve team members who can be called upon to be trained and begin their duties within three months of a vacancy arising.
- Volunteers must agree to take the third party training to be organised by the RIPE NCC between being accepted as a member of the active team and formally joining the team.

Report Triage

- Reports can be made electronically or in person. Ideally, a report goes to one or two members of the team who are "on duty" or to a designated RIPE NCC support person who has the necessary training to support the team.
- Electronic systems will automatically acknowledge a report. When a report is made in-person, the team member accepting the report should document it in the system and confirm that it is being tracked, so the reporter knows the report is being considered.
- The "on duty" team members will check whether there is a conflict of interest. If there is a conflict of interest, they will recuse themselves and another member of the team will step forward, to ensure that there is a group of three people: two volunteers and the RIPE NCC professional.

Evaluate Report

I'm a little uncomfortable writing much about this as I expect the training the RIPE NCC will provide (probably through a third party) will

Decide on Outcome

There should be three people deciding on the outcome: two volunteers and one RIPE NCC professional. The RIPE NCC professional should help the volunteers follow the process rigorously, so they can be sure that they reach an appropriate decision.

Record Outcome

The RIPE NCC will record the fact of the report and the outcome in a system that allows it to manage any consequences, such as mailing list bans. The RIPE NCC system should also be able to provide statistics that help Code of Conduct Team members understand if there is a pattern of behaviour.

Implement Decision (if needed)

Do we need text here?

Consequences Ladder

In some cases a report will turn out to be mistaken and no consequences will be necessary.

These consequences are not detailed and are illustrative examples. They also do not describe every form of participation in RIPE, such as instant messaging or virtual conference interactions.

The Code of Conduct Team will take into account a variety of factors including but not limited to the severity of the failure, whether that person has done anything similar in the past, and the impact on other people protected by the Code of Conduct.

They are empowered by the RIPE community to apply their best judgment when selecting a consequence for an action. This means that a consequence for a first incident might not be on the first rung of the ladder.

Event

Session

1. Asked to apologise
2. Removed from the room for a few minutes to allow emotions to settle
3. Removed from the remainder of the current session
4. Removed from the event venue for the remainder of the day
5. Removed from the event venue for the remainder of the meeting
6. Not allowed to attend future events for a period
7. Permanently barred from attending RIPE events

Non-Session

1. Asked to apologise
2. Removed from the social event
3. Removed from all further social events at that meeting
4. Not allowed to attend future events for a period
5. Permanently barred from attending RIPE events

Mailing List

1. Asked to apologise
2. Publicly told not to repeat a kind of post
3. Temporary ban from posting to the list
4. Permanent ban from posting to the list
5. Temporary ban from posting to any RIPE mailing list

6. Permanent ban from posting to any RIPE mailing list