



Concern Code of Conduct

March 2018

Throughout this document, the term **inappropriate behaviour** (which may range from mild to grossly inappropriate behaviour) is intended to include, but is not limited to:

- Bullying
- Verbal, physical or sexual harassment
- Rape and attempted rape
- Exploitation (including sexual exploitation)
- Abuse (including sexual abuse and abuse of power)
- Any actions that harm children or place them at risk of harm
- Intimidation
- Any form of discrimination
- Entering into relationships which cause, or could potentially cause, conflicts of interest at work
- Behaviour that brings, or could potentially bring, the organisation into disrepute
- Showing a lack of respect for the dignity of others
- Behaving in a culturally insensitive manner
- Behaving in a manner which leads to, or could potentially lead to, health or security problems for the individual concerned and/or for other people
- Theft
- Unauthorised use or possession of Concern property – or of the property of a third party - while acting or claiming to act on behalf of Concern, and serious negligence or deliberate misuse of Concern property
- Any attempt to commit fraud or to accept or solicit a bribe

Any finding of inappropriate behaviour, including those actions outlined above, by anyone working for or on behalf of Concern will lead to disciplinary action up to and including dismissal.

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Introduction

Concern, as a non-governmental, international humanitarian organisation involved in the alleviation of poverty, seeks to implement effective relief and development programmes through its commitment to meeting good practice standards, and the quality of the work of its staff and those of its partner organisations.

Concern staff frequently work in situations in which they are in positions of power and trust (in relation to beneficiaries, other organisations and one another). This power and trust must never be abused. All Concern staff have a responsibility to the organisation to strive for and maintain the highest standards in the day-to-day conduct of their work. Any form of inappropriate behaviour is incompatible with Concern's fundamental belief in the human dignity of all people, and with our core values.

A code of conduct is a key tool for the prevention of harassment, exploitation, abuse and/or inappropriate behaviour by staff. The Concern Code of Conduct (hereafter, 'the Code') and its associated policies – the Programme Participant Protection Policy, the Child Safeguarding Policy, and the Anti-Trafficking in Persons Policy¹ – describe the standards of behaviour expected of all staff and anybody engaged by Concern, and seek to promote good practice. The Code provides clear guidance on the standards of behaviour the organisation requires all staff, and anyone working for or on behalf of Concern or any of Concern's partner organisations, to abide by, as well as providing examples of conduct that will be considered to be unacceptable. The Code is designed to guide and protect all staff and programme participants². Any breach of this Code by a Concern staff member may result in disciplinary action up to and including dismissal. In terms of staff from partner organisations, any breach of this Code may result in the suspension or termination of the partnership agreement.

Whilst recognising that laws and cultures differ considerably from one country to another, the Code is based on international good practice.³ In addition, it is written to reflect the organisation's core values and commitment to ensuring that staff always act in the best interests of all programme participants. This Code applies to all people engaged by Concern, including partner organisations engaged on Concern programmes, regardless of location, whether national or international, full or part time, consultants, interns, contractors or volunteers, and should be adhered to at all times.

This Code and the associated policies are mutually supporting and should be considered **in conjunction with each other**. Concern's partner organisations are expected to comply with the standards of behaviour outlined in this Code and in the associated policies. All visitors to Concern's programmes must – during their visit – consider themselves to be under the authority of Concern Country Director and must adhere to the Code and its associated policies. If a visitor refuses to agree to regulate his/her conduct in line with the requirements of the Code, the name of the person, and their reason for refusing to do so, should be recorded by the management and the case reported to the Regional Director who will decide the action to be taken. This may include suspending support for their continued presence in the country, denial of permission to visit Concern programmes or office, or to stay in any accommodation rented or owned by Concern.

¹ Any reference to the 'associated policy documents' hereinafter indicates these three named documents.

² Programme participant refers to any individual associated with Concern's programmes and includes: i) beneficiaries of programmes delivered by Concern or its partners; ii) members of the communities in which Concern and its partner organisations work; iii) people employed or engaged by Concern, whether national or international, full or part time, consultants, interns, contractors or volunteers and any person actively involved in the programmes of Concern or its partner organisations; and iv) Concern's partner organisations, their staff and anyone working on their behalf.

³ For example, the *Statement of commitment on eliminating sexual exploitation and abuse by UN and non-UN personnel* signed by Concern's CEO at the High-level Conference on Eliminating Sexual Exploitation and Abuse by UN and NGO Personnel in December 2006 in New York: <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1061170>.

All Concern staff, the representatives of partner organisations, visitors, and all people associated with Concern programmes must be given a copy of this Code and its associated policies in a language that they can understand, and an explanation of the content of the documents. They must confirm that they have read them, understood their content, and that they agree to conduct themselves in accordance with them.⁴

It is the responsibility of all Concern staff to adhere to Concern Code of Conduct and its associated policies.

Review of the Code

Concern recognises that both internal and external environments change. Such change may have a bearing on the scope and content of this Code. Consequently, the Code and its associated policies will be reviewed periodically. The review process will be consultative and participatory in nature. The responsibility for initiating the policy review process rests with Concern's Senior Management Team (SMT). Any changes to the policy that affect its underpinning principles or purpose will be submitted to the Board in Dublin for review and approval.

⁴ Concern staff responsible for developing partnership agreements, contracting consultants, and agreeing to or organising visits to the field **must** ensure that this is done.

Standards of Conduct

As a staff member of Concern I **commit myself to:**

- 1. Be responsible for the use of information, assets and resources to which I have access by reason of my employment with Concern.**
 1. I will ensure that I will use any assets and resources entrusted to me in a responsible manner and account for all money and property in accordance with the appropriate policy and procedural requirements.
 2. I will not use the organisation's computer equipment or other technology or equipment⁵ or services in contravention of Concern's IT Regulations to engage in any activity that is illegal under local, state, or international law, or that encourages conduct that would constitute a criminal offence. This includes any material that victimises, harasses, degrades, or intimidates an individual or a group of individuals on the basis of gender, race, religion, sexual orientation, age, disability, ethnicity or other personal characteristic.
 3. I will not use Concern's computer equipment or other technology or equipment⁶ to view, download, create, distribute, or save in any format inappropriate material, including but not limited to adult or child pornography.
 4. I will use all project goods and services, including those provided by or the property of a third party⁷, in an appropriate manner.
 5. I will not release to others any private or confidential information relating to Concern (or for which Concern is responsible) unless legally required to do so.
- 2. Be responsible for my own health, safety and welfare, and that of the staff whom I manage.**
 1. I will adhere to all organisational health and safety regulations and procedures in force in my work place.
 2. I will comply with any local security guidelines and in a manner consistent with Concern's Security Policy.
 3. I will behave in ways that avoid creating unnecessary risk to the security, safety, health and welfare of myself or others (including partner organisations and beneficiaries).
- 3. Ensure that my personal and professional conduct is, and is seen to be, of the highest standard and in keeping with Concern's beliefs, values and mission.**
 1. I will treat all people with respect and dignity. I will not discriminate, show differential treatment to, or favour particular individuals to the exclusion of others.
 2. I will, in all of our programmes, promote the well-being and development of children and will not engage in behaviour that is likely to cause harm, including physical, sexual, emotional abuse and neglect.
 3. I will observe all national laws and behave in a culturally sensitive manner.⁸
 4. I will not work under the influence of alcohol or drugs (with the exception of prescribed drugs for health reasons) or illegal substances⁹ that affect my ability to perform my duties.
 5. I will not use, distribute, sell or be in possession of illegal substances¹⁰ on Concern premises, whilst on Concern business, or whilst using Concern vehicles.

⁵ Internet, intranet and extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, telephony systems, network accounts providing e-mail, web browsing and file transfer protocol (FTP), are covered by Concern Worldwide Information Technology Systems User Regulations.

⁶ As above.

⁷ Examples of project goods and services provided by a third party include, but are not limited to, food aid from WFP, vehicles lent by an Alliance2015 member or other organisations, etc.

⁸ Such laws or cultural practice can never be used as an excuse or a motive for inappropriate behaviour.

⁹ National legislation in some of the countries in which Concern works is particularly strict in relation to the possession of illegal substances for personal consumption, and provides for very severe punishments/sentences for those breaking the laws. All staff must fully comply with national legislation in relation to such issues.

¹⁰ As above.

6. I will ensure that my behaviour both during and outside of work does not bring Concern into disrepute and does not impact on or undermine my ability to undertake the role for which I am employed.
7. I will not abuse my position as a Concern staff member for personal gain by requesting, soliciting or accepting any payment, gift, service or favour (including sexual favours) from others, whether for my personal benefit or for the benefit of another person, in return for Concern support, goods or services.
8. I will not enter into commercial sexual transactions at any time.¹¹

4. Perform my duties and conduct my private life in a manner that avoids possible conflicts of interest with the work or reputation of Concern and my work as a staff member of the organisation.

1. I will avoid situations where my personal interests could conflict, or reasonably appear to conflict, with the interests of Concern. Therefore, I will not enter into any sort of business relationship on behalf of Concern with family members, friends or other personal/professional contacts for the supply of any goods or services to Concern or any employment related matters without authorisation from senior management. I will declare any potential conflict of interest to my line manager.
2. I will not be involved in awarding benefits, contracts for goods/services, employment or promotion within the organisation to any person with whom I have financial, personal, family (or close intimate relationship) interests.¹²
3. I will not accept bribes or gifts (except small tokens of appreciation) or any remuneration which have been offered to me as a result of my employment with Concern by governments, beneficiaries, partners, suppliers or any other persons. I will notify my line manager if I am offered or have received gifts of any kind, however small.¹³
4. I am aware that sexual relationships between a Concern staff member and a beneficiary are likely to be based on inherently unequal power dynamics and may undermine the credibility of the organisation and its work. I know that Concern considers such sexual relationships inappropriate. Should I be in or develop a sexual relationship with a beneficiary, I will immediately inform a senior manager in my programme area of the relationship.¹⁴
5. I will not undertake work or duties outside of Concern that negatively influence my ability to perform my function, or which may have a negative impact on the work of Concern.

5. Work to ensure the safeguarding of all programme participants and avoid involvement in any activities that are illegal, contravene human rights,¹⁵ or compromise the work of Concern.

1. I will ensure full compliance with Concern's Anti-Trafficking in Persons Policy and will not take part in or support any illegal activities, particularly in relation to the trafficking of persons.¹⁶
2. I will not engage in any type of sexual relations or any sexual activity with a child. A 'child' is taken to be anyone under the age of 18 regardless of local custom, or the age of majority or consent locally.

¹¹ For the purpose of this Code, a 'transaction' is defined as any exchange of money, goods, services or favours with any person.

¹² All Concern staff must avoid direct responsibility for the hiring or supervision of a family member. Employment of family members is permitted only if the staff members are not reporting directly to each other.

¹³ In general, gifts should not be of such value as to constitute a personal enrichment for the recipient and should not be such as to appear excessive to an objective observer. The country programme's management team will review the list of gifts being received and indicate whether they are appropriate or not.

¹⁴ Concern recognises that staff are often members of the communities in which we deliver our programmes, and may have or develop relationships with other members of those communities. To ensure that beneficiaries are protected, and to protect Concern staff and the organisation from allegations of biased or more favourable treatment being given to some members of the community than others, Concern staff must make any such relationship known immediately to the senior manager in the programme area.

¹⁵ In addition to the Universal Declaration of Human Rights, recognition should be given to the rights of women and children, as outlined in the UN Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) and the UN Convention on the Rights of the Child (CRC), with particular emphasis on the guiding principle of 'the best interest of the child' (Article 3): <http://www2.ohchr.org/english/law/crc.htm>.

¹⁶ See Concern's *Anti-Trafficking in Persons Policy – March 2018*

3. Consistent with Concern's Child Safeguarding Policy¹⁷, I will always consider and act in the best interests of children in all actions relating to them. I will not abuse or exploit children or adults in any way and will report any such behaviour by others to a senior manager.¹⁸
4. I will refrain from any behaviour or action that might jeopardise Concern's reputation.

6. Refrain from any form of bullying, harassment, discrimination, abuse, intimidation or exploitation.

1. I will act fairly and honestly, and treat others with dignity and respect, regardless of their status - such as, but not limited to, their gender, race, religion or lack of religion, colour, national or ethnic origin, language, marital status, family status, birth, sexual orientation, age, disability, socio-economic background, caste, political conviction, HIV and AIDS status, physical appearance, lifestyle, or other status.
2. I will never engage in any humiliating, degrading or exploitative behaviour.
3. I will not use or condone language that is inappropriate, demeaning, or offensive towards others.

7. Report any incident, concern or suspicion regarding any breaches of this Code.

1. I will bring to the attention of the relevant manager or the Human Resources manager within Concern any potential incident, abuse or concern that I witness, I am made aware of, or suspect, which appears to break the standards contained in this Code.
2. I will not intentionally make malicious or false accusations in relation to this Code or its associated policies against any programme participant.
3. I will ensure that all information about breaches of this Code and its associated policies is handled with the utmost discretion.

I have read carefully and understood the **Concern Code of Conduct and its associated policies** and agree to abide by their requirements, and commit to upholding the standards of conduct required to support Concern's core values and mission.

I understand that failure to comply with any principles of the Concern Code of Conduct **or its associated policies** may result in disciplinary action up to and including dismissal and, where applicable, may result in civil or criminal proceedings against me.

Name:

Signature:

Date:

Organisation:

Location:

¹⁷ See Concern's *Anti-Trafficking in Persons Policy – March 2018*.

¹⁸ Those employed by international staff to work in a Concern house (as cook, housekeeper, gardener, etc.), or who work for the international staff member or his/her accompanying dependants (as translator, driver, teacher, etc.), are also covered by this Code, despite the fact that they are not Concern staff. Concern staff are responsible for informing anyone they employ about the content of the Concern Code of Conduct and its associated policies.