

1 CODE OF CONDUCT

CODE OF CONDUCT

Introduction

CHOICE is guided by our mission, vision and values as stipulated in our multi-annual strategy 2019-2024. We seek to develop an organisational culture that is reflective of our values.

Purpose

This Code of Conduct is a tool that is to be used in conjunction with other policies and procedures of CHOICE to determine the conditions of employment and engagement of the CHOICE staff team, Youth Advocates, and Board members (henceforth "CHOICE team" or "CHOICERs"). It is informed by International and United Nations standards. Its purpose is to provide the CHOICE team with:

- Guidance to working with a sense of integrity, especially in situations of ethical ambiguity;
- A means of identifying deliberate or inadvertent inequities of power dynamics;
- A blueprint to protect all young people – both those within CHOICE and those who interact with CHOICE through programming, advocacy, mentorship, internship and partnership – from exploitation and;
- A framework for implementing, monitoring and enforcing the Integrity Standards and Code of Conduct for CHOICE as an organisation.

All CHOICERs are encouraged to treat one another in an open and professional manner. Differences in culture, religion and political persuasion are to be respected. If the Code of Conduct is observed, then everyone involved can rest assured that they will be treated with respect, while they are also expected to treat others respectfully. They will then also not be subjected to inappropriate behaviour, while they are similarly expected to refrain from behaving inappropriately. CHOICE's intention is to provide a working environment in which any form of intimidation, hostility or other infringements which might affect the performance or dignity of a person is not present. Any form of inappropriate behaviour – be it verbal, physical or visual – will not be tolerated.

Scope

The Code of Conduct is applicable to the entire CHOICE team; i.e. everyone who performs work on CHOICE's behalf, regardless of the type of contract involved or the location where the work is carried out. Upon signing this Integrity Policy and Code of Conduct, each member of the CHOICE team commits to the principles outlined in this Integrity Policy and Code of Conduct. No team member is exempt from this Integrity Policy and Code of Conduct, and breach may result in disciplinary action (including dismissal in some instances), and in some cases could lead to criminal prosecution. This Code is subject to relevant international human rights law, wherever the employee is employed and shall be read in a manner that is compliant with that law.

Should any member of the CHOICE team, or any other individual external to CHOICE feel that the behaviour of, or statements made by anyone performing activities on behalf of CHOICE is not in line with this Code of Conduct, then CHOICE kindly requests that they submit a complaint to the Chair of the Board or Confidential Advisor in accordance with the personal complaints procedure.

Forms of inappropriate behaviour

Inappropriate behaviour is defined in this policy as behaviour on the part of a CHOICER which the individuals they interact with might find intimidating, humiliating, or hostile. This definition is purposefully broad, so that each person may be given the opportunity to draw their own boundaries and specify what constitutes an inappropriate behaviour to them. In accordance with the Working Conditions Act (Arbowet) and the Partos Code of Conduct, this policy outlines five types of inappropriate behaviour – sexual harassment, discrimination, and aggression and violence, including bullying, abuse of power, and financial violations. These five definitions are meant to cover most instances of inappropriate behaviours but are not necessarily an exhaustive list. They are presented in the following section.

Sexual Harassment

The Working Conditions Act defines sexual harassment as 'any form of verbal, non-verbal or physical behaviour with a sexual connotation, which is intended to or actually has an adverse effect on a person's dignity, and in particular if it creates a threatening, hostile, offensive, humiliating or hurtful situation.' Examples of this range from unwanted attention in the form of requests for sexual favours, to other verbal, non-verbal or physical behaviour (including the unwanted / non-professional forwarding or public viewing of pornographic images or text, e.g. on the internet).

Bullying

Inappropriate behaviour need not necessarily be of a sexual nature. It can also occur in the form of psychological or physical bullying and intimidation. The Working Conditions Act also covers bullying. It is defined as follows: 'all forms of intimidating behaviour of a structural nature, by one or more employees (colleagues, superiors) targeted at a particular employee or group of employees who are incapable of protecting themselves from this kind of behaviour.'

Bullying occurs when the perpetrator deliberately intends to hurt and/or humiliate another person and repeats these intentionally harmful behaviours over a certain period of time. Thus, isolated incidence of these behaviours cannot be considered bullying.

Characteristically, behaviours that make up bullying consist of words, gestures, and acts of threat, which include but are not limited to hurtful words, gestures, jokes, cartoons, images, posters email jokes or messages, physical contact or attacks.

Aggression and violence

Extreme forms of intimidation include aggression, or even go so far as the use of violence. The Working Conditions Act defines aggression and violence as follows: 'Incidents in which an employee is psychologically or physically harassed, threatened or attacked in circumstances which are directly associated with the performance of work.' Aggression and violence can be categorised as follows: verbal violence (such as being sworn at or insulted), physical violence (such as being kicked, punched, pushed, struck with a weapon, or having one's property damaged) and psychological violence (such as being threatened, intimidated, coerced, and intrusion on one's private life).

Discrimination

Discrimination occurs when a person does not receive equal treatment in identical circumstances. The legal definition of discrimination is as follows: 'Discrimination or discriminatory is any form of distinction, any exclusion, restriction or preference which is either designed to or may result in diminishing or the denial of the recognition of, or the opportunity to exercise one's equality by virtue of the Human Rights and Fundamental Freedoms in the field of political, financial, social or cultural matters, or in other areas of social life.'

Differences in culture, religion and political persuasion also have to be respected. CHOICE shall neither tolerate anyone being subjected to expressions, acts or decisions, in any form whatsoever, which may be hurtful to people on the basis of their race, religion, gender, personal convictions and/or sexual persuasion, nor any distinction being made according to these factors (race, religion, etc.).

Abuse of Power

Abuse of power refers to acts of corruption, nepotism or conflict of interest, manipulation or sharing of information.

Confidential information is only accessible to those authorised to have access, and therefore entrusted to ensure its integrity, confidentiality and privacy of such information to protect any individual, group or organisation involved.

Conflicts of interests are defined as any situation in which a CHOICER has professional, personal interest obligations which might or may have the appearance of influencing a persons' judgement and ability to perform their duties in line with the organisations' values, interests and requirements for public accountability and fairness.

Financial Violations

Financial violations are defined as any acts of fraud, irresponsible handling of resources, theft, tax-evasion and inside trading.

Sanctions against inappropriate behaviour

Breaches of the Code of Conduct can be reported based on the procedures outlined in the Complaints Procedure. The severity of the inappropriate behaviour will be assessed and sanctioned on a case-by-case basis.

Anyone who has been found guilty of the complaint about them is liable to any of the following sanctions, on the basis of the severity and impact of the actions:

1. verbal or written warning
2. adverse performance evaluation
3. reduction in salary
4. enforcement of a probation period of 6 months
5. suspension for a period of 3 months
6. termination of the employment contract, volunteer contract, or the contract for (consultant) assignments within a 1-week notice period.

The nature of the sanctions will depend on the gravity and extent of the complaint.

4 CODE OF CONDUCT

Gravity of the complaint will be determined by the Complaint Coordinator(s)¹ responsible for the investigation and will ensure that both parties, the complainant and the person complained against receive just treatment. Taking in the perspective of the complainer, using the evidence provided in their oral statements and the effect that the conduct had on their mental and physical wellbeing, as well as, objectively analysing the evidence provided by the person complained about to the contrary will be the cornerstones of this determination. Suitable deterrent sanctions will be applied to ensure that incidents are not treated as trivial.

In the case where an inappropriate behaviour is also illegal, or where the investigation into a complaint reveals that something illegal has been done, CHOICE will also seek legal action against and/or alert the authorities of this.

Reporting

Reported breaches of the code of conduct, if having taken place, and the given sanctions will be reported on in the organisation's annual report. For more information on the reporting of inappropriate behaviour or ethics violations within the organisation, please refer to the Reporting Policy.

Integrity Principles and Code of Conduct²

As a member of the CHOICE team, you commit to representing yourself and CHOICE with integrity, meaning you commit to the following:

Integrity

I will uphold the values of CHOICE for Youth and Sexuality by ensuring that my personal and professional conduct in the workplace and while representing CHOICE is consistent with the organisational values.

These values are as follows:

- Advocating for Change
- Feminism
- Human-Rights Based
- Inclusive
- Meaningful Youth Participation
- Sex-positive

¹ The Complaint Coordinator(s) are usually a Board member, or the Executive Director and/or Confidential Advisor in case the complaint concerns a Board member – see the Individual Complaints Policy and Procedure for more information.

² This section of the Code of Conduct is written in the second person (you/your). This style involves the reader and encourages ownership of the principles more than when written in the third person, as the third person style can be seen as something someone else does.

5 CODE OF CONDUCT

Being an ally

I will be diplomatic and professional in interactions with donors, stakeholders, partners and the general public. To be so, I will be respectful of others, be sensitive in dealing with them, and will seek peaceful resolution to conflicts through discussion.

Law and Culture

I will be sensitive to local culture and respectful of local customs, as appropriate. I will make a sincere and concerted effort to engage sustainably and ethically with the communities, cultures and natural environments in which I work.

I will seek support or advice from my colleagues at CHOICE if these norms and values contradict either the CHOICE Integrity Policy and Code of Conduct or my own personal values.

I will inform CHOICE of any relevant criminal convictions or charges I have had prior to my employment, or face during employment, that may impede my ability to undertake my professional duties.

I will provide a Certificate of Conduct (Verklaring Omtrent Gedrag, or VOG, in Dutch) at the start of my involvement with CHOICE.

Unequal Power Dynamics

I will treat others with respect, dignity and compassion, and harness my position and privilege as a CHOICE team member to prevent exploitation, abuse, harassment, discrimination, corruption or intimidation.

When undertaking CHOICE activities, I will remain attuned to possibilities for exploitation or uneven power distribution and will act with integrity to prevent and counteract injustice. I will ensure that my relationships and behaviour as a team member of CHOICE are in no way exploitative, abusive or corrupt.

Youth and Marginalized Groups

I will respect all peoples' rights, and particularly the rights of youth and marginalized groups, in a manner that is consistent with CHOICE's intersectional values.

I will promote compassion and contribute to a working environment that is typified with mutual respect and non-discrimination, in accordance with CHOICE Child Protection Policy and Sexual Harassment Policy.

I will remain cognizant of the fact that CHOICE works primarily with youth-led organisations and as such, will not perpetuate or engage in sexual or romantic relationships where an unequal power imbalance is present. I will access CHOICE's official reporting channels if I find evidence or a credible likelihood of a CHOICE team member exploiting their power in this manner.

6 CODE OF CONDUCT

Corruption

I will undertake my work responsibilities in a manner that befits the values of the CHOICE team and avoid potential conflicts of interests between my duties for CHOICE and my own personal life.

I will not promise or deliver any assistance as a CHOICE team member or on behalf of CHOICE as an entity in exchange for compensation (i.e. gifts, payment, and other quid pro quo activities). If I do receive a gift as a show of gratitude for assistance delivered as a CHOICE team member, that should be accepted as a gesture of politeness or whose acceptance will serve a humanitarian/communal purpose, I will only accept it if it is worth less than 25 euros, and I will report it to the Executive Director. In this context, the term 'gift' is defined as any material object, in either monetary or non-monetary form, which is given for the specific purpose of benefitting the giver and the recipient. This does not include gifts which are customary in our professional field and which are not of considerable financial value. If you have any doubt whatsoever in this regard, you should consult the Executive Director.

I will stand against corruption, bribery and exploitation of the information, access and influence that may come with my role as a member of the CHOICE team.

Non-Disclosure

I will not disclose sensitive or confidential information learned during, following or as a consequence of my role within the CHOICE team. This commitment continues beyond the period of my employment.

I will recognise that CHOICE is the sole owner of all rights and interest in and to all materials, reports, information, documentation and other written works created, compiled or produced by a party while either employed by CHOICE or acting on behalf of CHOICE. I will not claim such products as personal property.

Resources

I will be responsible in my handling of funds, equipment, resources and information at all times. I will appropriately account for any CHOICE resources I use, including money, equipment and accommodation. I will be responsible in my use of the Internet on and with CHOICE property.

Health, Safety and Security

I will adhere to CHOICE's Safety and Security Policies and will, within reason, protect the health, wellbeing, safety, security and welfare of all CHOICE beneficiaries, partners, team members and stakeholders.

7 CODE OF CONDUCT

I will undertake and act on appropriate risk assessments and comply with local security management guidelines. I will contribute to updating outdated policies to preserve the safety of myself and others.

I will avoid acting in a manner that creates unnecessary risk to myself or others in the course of my work.

I will remain within the law in all circumstances within reason, unless emergency actions outlined in CHOICE's other policies (particularly Safety and Security policies) advise otherwise to save my life or the life of someone else.

Sexual, Reproductive Health and Human Rights

I will promote and preserve sexual and reproductive health and rights and human rights in the course of my work. I will ensure that my conduct is consistent with CHOICE policies and professional best practice.

CHOICE Policies

I will adhere to following all of CHOICE for Youth and Sexuality's policies and procedures that support the above Integrity Principles and Code of Conduct, namely:

- The Individual Complaints Procedure
- The Reporting Policy
- The Safety and Security Policy
- The Sexual Harassment Policy
- The Child Protection Policy

In accepting my appointment, I undertake to discharge my duties and to regulate my conduct in accordance with the requirements of this Integrity Policy and Code of Conduct.

Name.....

Signature.....

Date.....