



ZOA CODE OF CONDUCT

Version 2.2; May 2018

ZOA 
RELIEF | HOPE | RECOVERY

Content

1	INTRODUCTION	3
2	ZOA CODE OF CONDUCT	4
2.1	Scope	4
2.2	Expected behaviour and prohibited misconduct	4
2.3	Minimum standards against sexual abuse and exploitation	5
2.4	Duty to report	6
2.5	Grievance procedure	6
2.6	Consequences of engaging in misconduct	7
2.7	Review of the Code of conduct	7
3	CLARIFICATION OF TERMINOLOGY	8
4	AGREEMENT	11

1 INTRODUCTION

ZOA is a Dutch-based international organisation, which connects her Christian identity with practical acting through the core values:

- we value people,
- we are faithful,
- we are good stewards, and
- we serve with integrity.

ZOA provides support to communities that are affected by armed conflict or natural disasters. Our support is based on need and opportunities for positive change. We make no distinction on race, ethnicity, religion, or gender. ZOA employees are expected to maintain a high standard of conduct.

A staff Code of Conduct is considered a key tool for the prevention of harassment, exploitation and inappropriate behaviour by staff towards beneficiaries, colleagues or other people. The ZOA Code of Conduct describes acceptable standards of behaviour and promotes good practice. ZOA staff know through this Code what behaviour is expected of them, stakeholders know what acceptable behaviour by ZOA staff is and what to do if there is a breach of this code. It is important that all ZOA staff members and the representatives of partner agencies and beneficiaries are given a copy of the ZOA Code of Conduct in the language that they can understand.

As part of pre-employment induction procedures, ZOA require new staff members to read the ZOA Code of Conduct and sign to confirm that they have understood the content and agree to conduct themselves accordingly. HR organise training sessions for staff on the ZOA Code of Conduct to raise awareness and discuss the meaning and purpose of the Code of Conduct. The practice of this policy is monitored by HR through a range of instruments such as programme, country, and sector evaluations.

A clarification of terminology used in this Code is given in part 3.

Separate policies have been established for a Code of Conduct for Child Protection and an Anti-fraud and Corruption policy. Both of these documents are available on QMS and should be documents which all staff are acquainted with. The Code of Conduct for Child Protection policy must be signed by all employees, while the Anti-Fraud and Corruption policy is an important document for staff to be aware of and enforce.

2 ZOA CODE OF CONDUCT

ZOA seeks to implement successful relief and rehabilitation programmes as an international organisation based upon Christian principles, through its commitment to best practice and the quality of work of its staff and that of local partner agencies supported by ZOA. In this context, all ZOA staff have a responsibility to the organisation to strive for and maintain the highest standards in the day-to-day conduct of their work in accordance with ZOA's mission and the core values.

2.1 SCOPE

Contracted staff, volunteers, and representatives of ZOA (hereafter referred to as staff or employees) are personally and collectively responsible for upholding and promoting the highest standards of ethical and professional conduct. It is the responsibility of all ZOA employees to adhere to this ZOA Code of Conduct and refrain from acts of misconduct at all times. Visitors of ZOA are also under the scope of the ZOA Code of Conduct as described in Chapter 3: Clarification of terminology.

Large numbers of personnel are engaged in programmes in a variety of capacities. Many workers are drawn from the beneficiary communities themselves. As far as this Code is concerned, by accepting employment, all staff accordingly also assumes the special duty of humanitarian care and ethical conduct that goes with their responsibilities. All staff are responsible for their own behaviour and have a duty to report any breach of this Code of Conduct (see Section 2.4). All staff are obliged to ensure and maintain an environment that prevents power abuse and promotes implementation of these standards of behaviour.

Managers at all levels have a particular responsibility to support and develop systems which maintain a safe environment for staff to uphold the standards of behaviour as stated in this Code of Conduct including setting positive examples themselves. The responsibility for implementation and monitoring of the Code of Conduct lies with the ZOA International Management Team.

2.2 EXPECTED BEHAVIOUR AND PROHIBITED MISCONDUCT

ZOA employees are expected to maintain a high standard of conduct. ZOA expects its staff to refrain from any acts of misconduct. This section sets out general categories of expected behaviour and specifies prohibited acts including examples of acts that ZOA will consider as misconduct or gross misconduct depending on the severity of the act. ZOA expects the following conduct of its staff:

- **We treat everybody equally:** both our programmatic decisions and our staff members will not discriminate based on race, gender, sexual orientation, disability, political convictions, religion, or for any other reason, in any way. Common forms of discrimination may include decisions based on family status, race, gender, colour, national or ethnic origin, language, marital status, birth, sexual orientation, age, disability or political conviction.
- **We protect vulnerable groups:** our staff members will not engage in harassment, exploitation, and sexual abuse or threat of abuse. We stay away from and strongly reject any abuse of power:
 - Any form of violence including, but not limited to: bullying, verbal, physical or sexual harassment, rape, exploitation, intimidation, and victimisation;
 - Behaviour that shows a lack of respect for the dignity of others including breaching of confidentiality;
 - Behaving in a manner which leads to, or could potentially lead to health or security problems for the person themselves or for other people;
 - Any attempt to commit fraud or to accept or solicit a bribe;
 - Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading, compromising or exploitative behaviour.

Abuse of a position would include withholding goods that are due to ZOA's programme participants, or awarding goods that are not due to programme participants in order to obtain gifts, payment or sexual favour from programme participants, or accepting gifts, goods or services from interested parties. Any such abuses will be considered acts of gross misconduct and will result in dismissal.

In addition ZOA and staff members are committed to fighting against any form of trafficking in persons; including but not limited to ZOA staff, partner organisations, and beneficiaries. Trafficking in persons relates to the use of forced labour as well as any acts that directly support or advance trafficking in persons (see Chapter 3 for the definition of Trafficking).

- **We avoid conflict of interest:** our staff members observe the highest standards of honesty and integrity by not abusing their position for personal gain. ZOA is committed to conducting its activities with the highest degree of integrity and in full compliance with applicable laws. This commitment includes a zero tolerance approach towards all forms of fraud, bribery, corruption, and theft, whether directly or indirectly. ZOA staff should not make any contributions to political organisations or individuals as means of obtaining an advantage. ZOA staff should conduct themselves at all times in a manner that avoids suspicion of such behaviour. All staff should avoid situations in which their personal interest may conflict, or appear to conflict, with the interests of ZOA or its programme participants. Where there is concern if personal interest may be conflicting, the staff member will discuss this with the Country Director. Staff are committed to implement and enforcing effective systems to counter bribery and corruption.
- **We use internet properly:** our staff members will not visit pornographic, racist, discriminating, or abusive internet sites and/or chat rooms or download offensive material or visit sites of which the content is against the law or unethical or threatening.
- **We stay away from alcohol and drugs:** our staff members will not use, distribute, sell, be in possession of, or under the influence of alcohol or non-prescription drugs at work. It is a disciplinary offence to come to or to be at work under the influence of alcohol or drugs not medically prescribed. Being in possession of, or using, distributing or selling illegal substances is not permitted on ZOA premises or whilst on ZOA business. It is prohibited for staff to distribute non-prescription drugs. The conviction of an employee on drugs related charges will result in disciplinary action, which could lead to dismissal on the grounds of gross misconduct.
- **We adhere to our duty to report:** our staff members will report all breaches of the ZOA Code of Conduct immediately and with the utmost discretion. ZOA Staff are committed always to report and/or document any suspicions of non-compliance with this Code.

2.3 MINIMUM STANDARDS AGAINST SEXUAL ABUSE AND EXPLOITATION

ZOA recognises that all employees and programme participants have a right to be treated with dignity and respect and therefore is committed to protection of all vulnerable groups. ZOA staff have a particular duty of care towards women and children. Therefore, any proven instances of harassment, exploitation, abuse or threat of abuse will be treated as gross misconduct and, as such, will result in appropriate disciplinary action being taken, up to and including dismissal.

ZOA staff and partners in humanitarian operations shall adhere to the following principles, whereby principals 1-4 are grounds for termination of employment (with zero tolerance):

1. Sexual exploitation and abuse by humanitarian workers constitutes acts of gross misconduct. This includes, but is not limited to, gender-based violence.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of maturity or age of consent locally. Mistaken belief of the age of a child is not a defence.
3. Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behaviour is prohibited; this includes exchange of assistance that is due to beneficiaries.
4. Sexual relationships between humanitarian workers and beneficiaries are prohibited since they are based on inherently unequal power dynamics.
5. Sexual relationships between humanitarian workers and members of the communities where ZOA is working are strongly discouraged. Such relationships undermine the credibility and integrity of humanitarian aid work. Should somehow a relationship develop, the employee is expected to make this known to his manager, who will then, together with the Country Director, determine if the current work arrangement is appropriate and/or if measurements need to be taken. Based on the circumstances, it could be decided that such a relationship be considered gross misconduct due to abuse of power. If the relationship is considered permitted, this will be discussed and well documented in the employee file.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual

exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have a particular responsibility to support and develop systems which maintain this environment.

If and when such cases concerning sexual abuse or misconduct arise, we are committed to ensure that breaches of these standards are immediately reported within the established mechanisms. ZOA as a humanitarian organisation has agreed to collaborate in a coordinated and common reporting and investigative system for these purposes.

2.4 DUTY TO REPORT

It is the duty of all staff who become aware of any breaches of this Code to report this immediately to a line manager, either through the established reporting mechanism or, if not appropriate, to another senior member of staff. Failure to report concerns of sexual abuse and exploitation will constitute misconduct and be considered grounds for disciplinary measures.

Management must ensure that all information about breaches of this Code is handled with the utmost discretion. Any concerns or suspicions about a suspected incident of exploitation, harassment or bullying of programme participants or colleagues, whether major or minor, should always be discussed with a line manager or other senior member of staff.

No action will be taken against a staff member reporting concerns in good faith. Disciplinary measures will be taken against staff for retaliating against a colleague who reports concerns or otherwise cooperates with an investigation. As well as for maliciously and falsely reporting misconduct, and for not cooperating with an investigation.

2.5 GRIEVANCE PROCEDURE

Staff can use the ZOA complaints mechanism to report breaches to the Code of Conduct. The ZOA Grievance Procedure can be found on QMS.

Management must guarantee that the grievance procedure in country meets the following requirements:

- Staff need to know the existence of the grievance procedure and their right to use this procedure.
- The grievance procedure should be accessible and easily understood by all staff.
- All complaints should be dealt with confidentially.
- The procedure itself should be non-threatening and employees need to be certain of non-retaliation.
- Staff know who to address the complaint to and who is in charge of dealing with the complaint.
- The complainant should be informed of alternative grievance channels.

If the complainant does not receive a justified response at country level, then the complainant can address the complaint to ZOA headquarters to the email address: confidential@zoa.ngo with the content of the complaint and his/her name. The complainant will receive confirmation of the receipt of the complaint within a week with explanation and the timescale of the procedure to be followed. The HR Manager will decide who will be in charge of handling the complaint depending on the nature of the issue. The investigation following a complaint will make clear whether the complaint is justified or not. The person in charge of the investigation to the complaint will report to the HR Manager and the CEO/CPO about the outcome of the investigation and provide advice on the steps to be taken. The CEO/CPO will then decide on further action and informs the complainant. Before any disciplinary action is taken, if any, the staff member concerned will be informed in writing of the allegations made against him or her and be given the opportunity to respond to the allegations.

The complainant may opt for demanding the contact details of the external counsellor contracted by ZOA without sharing the details of the complaint. In this case the counsellor will contact the complainant to follow up the complaint and inform the complainant about the procedure to be followed. Neither the content nor the name of the complainant will be shared by the counsellor with ZOA only with the consent of the complainant.

2.6 CONSEQUENCES OF ENGAGING IN MISCONDUCT

Misconduct will lead to disciplinary measures, which could lead to dismissal. If a claim is substantiated against a ZOA employee, the CEO/CPO at his discretion may:

1. Issue a written warning and/or place the employee on probation
2. Terminate the employment contract with immediate effect in accordance with the applicable staff regulations
3. Take any other action as set out in the Staff Regulations

If the claim is deemed unfounded the staff member's record will be cleared.

2.7 REVIEW OF THE CODE OF CONDUCT

ZOA recognises that both internal and external environments change. Such change may have a bearing on the scope and content of this policy. Consequently, it will be reviewed periodically. The review process will be consultative and participatory in nature. The responsibility for initiating the policy review process rests with ZOA's International Management Team.

Any breach of this Code will result in disciplinary action up to and including dismissal.

3 CLARIFICATION OF TERMINOLOGY

Clear definitions are essential to ensure that the proper reporting of, and responses to instances of abuse or exploitation can be handled in a consistent manner. This section provides ZOA's definitions of the terminology used in this Code. Employees are also bound by the local laws of the countries in which they work.

Bullying: Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, which could reasonably be regarded as undermining the individual's right to dignity.

Examples of bullying are as follows:

- Manipulation of the victim's reputation by rumour, gossip or ridicule.
- Preventing the victim from speaking by making loud voiced criticisms or obscenities.
- Social exclusion or isolation.
- Manipulating the nature of the work or the ability of the victim to perform the work e.g. by overloading, withholding information or setting meaningless tasks.
- Physical abuse, or threats of abuse.

Bribery is offering, promising, giving, accepting or soliciting of money, a gift or other advantages as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisations' activity.

Child: persons under the age of 18 years (same definition as in IASC Code of Conduct).

Corruption is the abuse of entrusted power for private gain.

Exploitation: Exploitation is using one's position of authority, influence or control over resources, to pressure, force or manipulate someone to do something against their will. This includes threatening to withhold project assistance, threatening to make false claims about a person in public, or any other negative repercussions in the work place or community. Examples of exploitation can include:

- Offering special benefits to programme participants or employees in exchange for expressed, implied or demanded (sexual) favours.
- Threats or insinuations that an individual's refusal or unwillingness to submit to demands will affect the person's entitlement to project assistance and support, or terms and conditions of employment.

Facilitation payment is a small bribe also called a 'facilitating', 'speed' or 'grease' payment; made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement."

Fraud is a deliberate improper action that leads to financial loss to the organisation and usually also results in financial gain to the fraudster.

Harassment: Harassment is any act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material, if the action or conduct is unwelcome to the recipient and could reasonably be regarded as offensive, humiliating or intimidating. Examples of harassment include:

- verbal harassment, jokes, comments, ridicule, or songs;
- physical harassment including jostling, shoving, or any form of assault;
- intimidating harassment including gestures, posturing, or threatening poses;
- visual display such as posters, emblems, or badges;
- isolation or exclusion from social activities;
- pressure to behave in a manner that the employee or programme participant thinks is inappropriate - for example, being required to dress in a manner unsuited to a person's ethnic or religious background.

Humanitarian worker: According to the Inter-Agency Standing Committee (IASC) "humanitarian workers include all workers engaged by humanitarian agencies, whether international or national, formal or informal, retained from the beneficiary community, sub-contracted, permanent or temporary, to conduct the activities assigned by the employing agency".

Intimidation or Victimisation: Recipients will be protected against intimidation, victimisation or discrimination resulting from their alleging harassment or assistance with an investigation. If any member of staff is found retaliating against a recipient making a complaint or assisting in an investigation, then the appropriate disciplinary action - up to and including dismissal - will be imposed.

Rape: Rape is an act of non-consensual sexual intercourse. Any non-consensual penetration is considered rape, and may include:

- Statutory rape: sexual intercourse with a person under the age of consent, even if the person agrees to the act.
- Gang rape: rape by more than one assailant.
- Male rape: the victim and perpetrator are both male. This is sometimes known as sodomy.
- Attempted Rape: efforts to rape someone falling short of penetration.

Sexual harassment is defined as any:

- Act of physical intimacy
- Request for sexual favours
- Other act or conduct including spoken words, gestures, or the production, display or circulation of written words, pictures or other material that is unwelcome and could reasonably be regarded as sexually offensive, humiliating or intimidating.

Examples of sexual harassment can include:

- *Verbal abuse:* requests or demands for sexual favours, suggestive remarks, degrading abuse or insults, jokes or tricks of a sexual nature.
- *Physical abuse:* gesturing of a sexual nature, unnecessary touching, indecent exposure, and assault.
- *Visual abuse:* displaying/circulating pornographic materials.

A single incident may constitute sexual harassment. Sexual harassment can be imposed by either sex upon the other, and can include harassment of a person due to sexual orientation or preferences. Instances of sexual harassment will be treated as gross misconduct and may result in dismissal.

Theft is amongst other: Theft of funds or possession that belongs to ZOA or any other organisation or person; Unauthorised use of and/or possession of ZOA property – or of the property of a third party while acting or purporting to act on behalf of ZOA; Serious negligence or deliberate misuse of ZOA property; Any attempt to steal or misuse ZOA or other organisations' or people's property. Unauthorised absence without due cause, or persistent absence or bad time keeping.

Trafficking in persons: the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; (From: Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000).

Violence: Violence constitutes incidents where persons are abused, threatened or assaulted in circumstances related to their work, involving an explicit or implicit challenge to their safety, health or well-being.

Visitor: a visitor to ZOA is any individual who visits the ZOA programmes and comes into contact with ZOA's programme participants. This includes journalists, consultants, donors, ZOA business ambassadors, researchers, school youth travelling on a ZOA project, friends, spouses, partners, family members and relatives of current ZOA staff, etc. The definition shall not include individuals who call to ZOA's offices for short meetings.

Abbreviations used:

CEO: Chief Executive Officer

CPO: Chief Programme Officer

IASC: Inter-Agency Standing Committee is an inter-agency forum for coordination, policy development, and decision-making involving the key UN and non-UN humanitarian partners. The IASC was established in June 1992 in response to UN General Assembly Resolution on the strengthening of humanitarian assistance.

IMT: International Management Team consisting of the CEO, CPO, Directors of Departments (NL) and Country Directors

DMT: Directors/Management Team consisting of the CEO, CPO and Directors of Departments (NL)

QMS: Quality Management System

4 AGREEMENT

In addition to the conduct policies outlined in the ZOA Conditions of Service, I understand and commit myself to the content of this Code of Conduct.

Name _____

Signature_____

Date _____