



**cesvi**

# **STAFF CODE OF CONDUCT**

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**April 2019**

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### **Introduction**

Cesvi strives for excellence in all its operations and seeks to guarantee the highest possible quality of its activities throughout the world, whether performed directly or carried out in collaboration with its partners.

Cesvi expects that the utmost integrity and honesty be applied under all circumstances in every area where operations of any kind are carried out, whether this be for institutional relationships and with donors or concerning the dignity of the beneficiaries. Every member of Cesvi staff actively contributes to the activities of the Organization in Italy and abroad. The behavior of the persons who collaborate with the Foundation must reflect the principles of professionalism, diligence and correctness that are contained in the Ethical Code, as well as being coherent with the company's mission, vision and internal policies.

Cesvi's reputation as an Organization is held in high regard throughout the world. Maintaining and further developing this reputation is a common, central responsibility of every person working within the Organization. In this context, Cesvi staff members are required to uphold the highest professional standards possible during the course of their work, in accordance with the principles set out in the Cesvi Mission Document and its Ethical Code.

The objective of the Code of Conduct is to provide clear indications of the standards of behavior required to all Cesvi staff members. While recognizing that laws and cultures may differ greatly from one country to another, the Code is based on international legal standards, universal principles of codes of conduct and basic human rights. Any behavior that violates this Code may therefore result in disciplinary action, including unilateral termination of the contractual relationship.

The complementary documents to be read together with the Code of Conduct are the Cesvi Codes of Ethics, Cesvi Security Policy, Anti-corruption and Fraud Policy, Protection from sexual exploitation and Abuse (PSEA) Policy, Whistleblowing Policy, Children Safeguarding Policy and associated procedures.

### **ENFORCEABILITY**

The present Code of Conduct applies to all staff members - local, expatriate or working at the Headquarters - regardless of the type of working relationship with Cesvi (self-employed collaboration, employee, consultant, intern, volunteer, etc).

Staff receive a copy of this Code of Conduct at the time of signing the initial employment contract, or in the case of an existing member of staff when renewing a contract or the earliest date.

Cesvi Code of Conduct is also valid for partner organizations, unless they dispose of their own Code containing all of the same fundamental standards as Cesvi Code of Conduct. These rules form an integral part of contracts stipulated with consultants who are therefore required to comply with this Code of Conduct. Code violations will result in the immediate termination of all contracts and the discontinuation of the collaboration.

## **1. Good practices and general recommendations**

In order to promote the best possible environment within the framework of programs and activities conducted by Cesvi in Italy and abroad, all staff members are invited to observe the following practices and thereby set a good example for all to be treated with the appropriate courtesy and respect:

- Personal knowledge and others' awareness of Cesvi Mission and Guidelines are to be fostered.
- Problems or situations which could be potentially damaging are to be reported.
- Suggestions are to be welcomed, and appropriate attention and follow-up are to be given to complaints, ensuring transparent feedback within a reasonable timeframe.
- Positive behavior is to be encouraged, by learning from each other.
- Disciplinary measures are to be applied when necessary<sup>1</sup> (see note).

Please note that the above indications are especially useful in countries where the staff is exposed to risks of various types. These specifications, if included in labor contracts with the staff and acted upon, can also help to promote a harmonious working climate in even the most difficult environments and situations, thereby encouraging development co-operation and humanitarian aid.

## **2. Basic rules**

### **a. Recognize and respect the dignity of the person receiving help or assistance**

In no instance should the need for assistance or help by Cesvi justify any person being exposed to situations that undermine their dignity, whether they occur during the identification of their needs or risks, or while the services are carried out or provisions distributed.

Every Cesvi employee and all Cesvi partners must guarantee that he/she recognizes and takes into consideration the capabilities of the recipients of Cesvi's intervention as primary and essential resources, in order to achieve the desired transition.

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<sup>1</sup> In the event of disciplinary Action, the Framework Agreement between NGOs and Syndicates 2018 which regulates coordinated and continuing collaboration in Italy and Abroad and the national category Agreements (CCNL) for employees, preclude the possibility of any other disciplinary sanctions that are not foreseen by these rules. In particular, within the Framework Agreement that regulates coordinated and continuing collaboration, the possibility of unilateral termination (potentially followed by further action for compensation claims) is envisaged in the following cases (see Art.5): serious contractual non-compliance, severe and repeated errors or failure to carry out the assignment; unjustified suspension of the assignment; commission of a felony as provided for in Art. 15 Law n. 55/1990 as amended.; damage or theft of goods; detrimental damage to the image and good name of the OSC, including behavior by the Collaborator, even outside the realms of the collaborative relationship, incompatibilities with the values and principles of the corporation and mission of the OSC Client; actions, conduct or harassment, even of a sexual nature, which are detrimental to the dignity of the person carried out during the course of the work activity, in particular for missions carried out abroad. Any infringement of the rules indicated below in paragraph 2 will be considered a serious breach of contract and as such may result in the immediate termination of the contract, without prejudice to any other protective actions that Cesvi may put in place as a safeguard.

The locally stipulated contracts refer to the specific disciplinary rules established by the applicable local legislation, taking into account the practices in use by the NGOs in each country.

**b. Avoid any type of discrimination, intimidation or violence**

There can be no cause for a member of Cesvi staff to give rise to any possible misunderstandings that could determine any form of discrimination based on race, family status, gender, religion, nationality or ethnic group, language, marital status, age, birth, sexual or political orientation or disability.

All employees, collaborators and partners of the Foundation are required to display irreproachable conduct with the beneficiaries of the projects, employing particular caution when dealing with the most vulnerable categories: minors, women, the elderly and the marginalized.

Any form of physical violence or use of inappropriate, violent or offensive language towards others, either spoken or written, is unacceptable and will lead to disciplinary measures suited to the gravity of the facts and even unilateral termination of the contractual agreement.

**c. Avoid and prevent any form of conflict of interest and the abuse of one's duties**

Each staff member is duty bound to avoid being in a position of authorizing work assignments, consultancy roles, benefits or service contracts to any persons or companies with whom he/she has personal, family or financial interests.

As a direct consequence of the above statement, it is expressly forbidden for any staff member to solicit or accept money, gifts or favors of any kind in exchange for contracts, benefits or employment offers.

The basic principles and relevant procedures to prevent such situations arising and to report them are outlined in Cesvi's specific Anti-corruption and fraud Policy and in Cesvi Whistleblowing Policy.

In dealing with suppliers and consultants, all recipients must favor the interest of the Foundation, refraining from engaging in any behavior that could result in personal gain.

It is compulsory for any assets provided by Cesvi for carrying out specific functions to be returned at the end of the assignment, unless an alternative solution has been advised in writing. Unjustified possession of assets will always be considered as misappropriation.

**d. Use of drugs and alcohol**

No functions shall be performed while under the influence of drugs, medicines or alcohol, except in cases where it is expressly required by a medical prescription. The possession, use, distribution or sale of illegal substances is not permitted on Cesvi premises or in the company vehicles or while carrying out one's functions.

It is important to remember that certain local laws are particularly severe and apply harsh penalties for the possession of illegal substances, even intended for personal use only.

**e. Harassment, exploitation and abuse. Sexual relations with minors and beneficiaries**

Any proven attempt to harass, exploit or abuse any person is inadmissible and will not be tolerated. Harassment is considered as such in whatever form it takes: verbal, physical or graphic (ex. use of pornographic material on Cesvi premises).

The exchange of money, work, good or services for any sexual activity is strictly prohibited, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This includes the exchange of assistance to the beneficiaries. Sexual exploitation and abuse by any Cesvi

employee or related personnel constitute acts of gross negligence and will be subject to disciplinary action and/or termination of the employment contract under current legislation.

In the case of any Cesvi collaborators having doubts or suspicions concerning sexual abuse by colleagues, partners, suppliers or other interested parties, they must report their concerns via the means and tools available within the Organization (Whistleblowing Policy).

All sexual relationships with beneficiaries of the Cesvi program are prohibited, given that any such relations undermine the credibility of the humanitarian actions and human progress promoted by Cesvi.

Sexual relations with any person under the age of 18 are prohibited, regardless of the minimum age limit set by the local legislation. Claiming ignorance about the age of a young woman or man will not be accepted as an argument for defense under any circumstances.

**f. Harassment, exploitation and abuse. Sexual relations in the place of work**

All employees, regardless of sex, age, position, type of contract or status, are responsible for ensuring that the workplace is free from harassment, exploitation and abuse. In addition, they are also responsible for discouraging and reporting unacceptable behavior and for complying with the Policies adopted by the Organization. Every member of Cesvi's personnel is entitled to enjoy a work environment that is free from discrimination and harassment – psychological, verbal, sexual or any other form – and abuse. The organization will not tolerate any deeds or conduct by any member of staff that could be considered harassment, exploitation or abuse.

All staff members are responsible for taking assertive action if they believe they are subjected to, or become aware of, harassment, intimidation, discrimination or abuse, regardless of its nature and who the alleged offender is, either by immediately bringing the unwelcome conduct to the attention of the offender – who may not be aware of the possible offence – or by reporting it to the direct line manager or to the Human Resources department.

All managers are required to:

- display a high level of professional behavior and personal conduct;
- share and clearly transmit the Policies adopted by the Organization;
- ensure that any incident relating to unacceptable behavior is promptly addressed and corrective action taken, as established by the Safeguarding Policies and Procedures.

**g. Child labor**

Every project manager must personally ensure that the persons working for Cesvi projects have reached the minimum age required by the local legislation regarding child labor. In the event of using external services and supplies, a self-declaration form should be signed by the contractor in accordance with the Procurement Procedures adopted by the Organization. In every case, the collaboration of personnel who have reached the minimum working age established by the country of work, but who are still under 18 years old, is permitted solely to complete unavoidable project needs, subject to ensuring that the activity is not dangerous and is compatible with a professional training course. If the country of employment has not signed the ILO 138 Convention regarding minimum working age, no employee under the age of 16 is to be accepted under any circumstances.

### **3. Other Rules**

#### **a. Spokesperson**

The only persons authorized to speak on behalf of Cesvi are the President, the CEO, the Press Officer or other person who has been specifically authorized as specified in the Job Description attached to his or her employment contract.

#### **b. Smoking**

Smoking is not permitted in any closed workplace or vehicle belonging to Cesvi.

#### **c. Loans**

Cesvi does not grant loans to any members of staff for any reason whatsoever.

#### **d. Retribution for overtime**

Any overtime work for employees, agreed with the correct contact person, is usually compensated by giving extra rest periods, in accordance with the existing legislation in the Country of work.

#### **e. Trial period**

Labor contracts lasting longer than a six-month period should include a trial period, if permitted by current legislation.

#### **f. Pension and social security**

Cesvi labor contracts always include specific regulations / indications for health insurance and social security, in accordance with the existing legislation in the Country of work.

#### **g. Use of vehicles**

Vehicles provided by Cesvi are usually for the operations of project activities and for safety reasons. Any other use, not expressly authorized, implies that the user personally assumes all costs and risks involved.

In Countries at greater risk, the driving of vehicles and motorcycles is only permitted by local guides, who are suitably selected and qualified. Verification of the correct application of road traffic regulations by drivers is an obligation for all staff members.

It is specifically indicated in the Security and Safety Plans and in the Country logistics manual (if in force) when and with what limits the staff is authorized to drive cars and motorcycles.

The driving of motorcycles is only permitted if equipped with a protective helmet.

The use of seat belts is mandatory for all vehicles that are equipped with them, with the exception of specific situations where this may increase the level of visibility of the staff, exposing them to greater risk.

In each Country, the driver's behavior behind the wheel and other issues related to motor traffic (for example, how to behave in the event of a car accident) are defined in the Security and Safety Plans.

#### **h. Rules of conduct for the correct use of IT instruments and company telephones**

Cesvi has adopted specific internal rules of conduct concerning the correct use of IT instruments and company telephones.

The aim of these rules, which sanction practices already widely used, is to avoid the above-mentioned devices being used for negligent or imprudent conduct, which could be detrimental to Cesvi's work activity and image.

In compliance with the security measures provided for under current laws<sup>2</sup> and in order to protect the company against any economic and legal risks deriving from any direct involvement in activities attributable to its staff, Cesvi has established the following General Principles that every operator, both in Italy and abroad, is required to observe:

- no modifications should be made to the configurations set on each employee's PC, unless authorized to do so by the IT Manager. Furthermore, to avoid the risk of computer viruses, only programs distributed by the Foundation may be utilized; it is possible to download files (.exe) and software from external websites solely if expressly authorized by the IT Manager.
- all due care and precautions should be adopted while using the Internet.
- personal use of Cesvi electronic mails is permitted, provided the employee does so under secure conditions. Given the purely business purpose of the computer made available, Cesvi maintains the right of ownership of all correspondence, even after the conclusion of the employment relationship. The collaborator/employee is only permitted to use and make copies of his/her personal correspondence.
- it is good working practice to limit the use of telephones to the communication necessary for carrying out work duties. Except in exceptional or urgent cases, receiving personal phone calls on the office telephones or personal mobile phones should be limited, and the length of conversation should be kept to the bare minimum and must not disturb other work colleagues.

Failure to comply with these principles shall result in individual responsibility being given for wrong behavior and in such cases and within the limits provided for by current legislation, charges will be brought against the individual if not compliant with the rules of conduct established by Cesvi.

#### i. Exceptions

Any exceptions to the rules in section 3 must be duly authorized in writing by the CEO.

## **4. RIGHT AND OBLIGATION TO REPORT AND INVESTIGATE ALL VIOLATIONS**

Cesvi's Whistleblowing policy establishes the right and obligation of every member of staff to report any known or suspected violation as indicated in Cesvi's Code of Conduct, Policies and Procedures, as well as any significant and key policies of the Organization they may be appraised of.

The reporting procedures and persons in charge of managing individual cases are set out in the Whistleblowing Policy and other Cesvi Safeguarding Policies (PSEA Policy and Children

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<sup>2</sup> Taking into account in particular the provisions contained in Regulation 2016/679/UE (GDPR) and in Law 101/2018 regarding minimum security measures for personal data. For a complete list of the behavior to adopt, please refer to Cesvi's Privacy Vademecum (2019).

Safeguarding Policy). In every case, and independently of the reporting procedures and its managing thereof, the Human Resources department must always be informed. Notwithstanding chapter 2 – HR Policy – Transparent handling of complaints, and unless otherwise regulated by the specific Policies and Procedures, the following channels should be adopted in the event of reports being made relating to the code of conduct:

<b>Person who raises the complaint</b>	<b>type of complaint/report</b>	<b>refer to</b>	<b>mode</b>
CESVI STAFF	any type of concern/complaint	Cesvi HoM/Country Contact at HQ	Orally /e-mail
CESVI STAFF	complaint concerning HoM Cesvi	Cesvi Management team HQ	Orally /e-mail
CESVI STAFF	specific cases of a personal/confidential nature	Cesvi HR Dept.	Orally /e-mail

Any information concerning the application of the Code will be treated with discretion. All information relating to the violation of one or more of the Code’s rules will be kept strictly confidential, will be registered and securely archived and will only be disclosed on a need to know basis.

Cesvi retains the right to initiate an internal investigation in order to acquire further information regarding the alleged violation of one or more provisions of the Code. Any such investigation will be confidential and timely.

The person subject to the complaint must be offered the opportunity to explain and / or respond to the charges made before any disciplinary action is taken. In the case of a criminal offence, the concerned party must be informed that, in addition to disciplinary action, the case may be reported to the competent legal authorities for further investigation.

Any declaration or intentionally false accusation against another member of staff or third party will be considered gross negligence, which may lead to the individual being held responsible within the limits provided for by current legislation.