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General Code of Conduct Terre des hommes – Helping children worldwide

For managers, staff, volunteers and partners

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Foreword

The Terre des hommes Foundation (Tdh) is Switzerland's leading child relief agency. It is recognised as being of public utility. We are committed to bringing about lasting improvements to the living conditions of the most vulnerable children, while ensuring that they, their families and their communities are protected.

Tdh runs projects on a non-profit basis, and acts independently of political, racial or religious concerns. As a humanitarian organisation, it has a moral duty to run activities with the greatest respect for the populations with which it works.

For this reason, Tdh requires all staff, partners and volunteers to adhere to the highest standards of behaviour, at all times and in all places, in accordance with humanitarian principles and organisational values¹. Tdh constantly strives to improve its practices to ensure that they meet the most stringent international standards in the fields of child protection (also called child safeguarding in this document) and humanitarian aid.

I. Purpose of this Code of Conduct

This document summarises the institutional policies and rules that define Tdh's Code of Conduct. It aims to provide staff with a professional framework that covers all forms of behaviour and action. Given the trust placed in us by the donors and populations we work with, this framework applies to relationships between staff members and relationships with beneficiaries.

We require our personnel to strictly comply with this Code of Conduct.

II. Reference framework

A International law

We promote and respect children's rights in accordance with the United Nations Convention on the Rights of the Child (hereafter referred to as the CRC). Personnel working on behalf of Tdh must first and foremost protect every child's right to live in security, free of the risk of mistreatment or exploitation. They must also constantly act in the child's best interest.

We comply with all international norms in force, particularly the principles of international humanitarian law.

B National law

Tdh, a foundation governed by Swiss law, has a presence in almost 40 countries and receives funding from many States. As such, we comply with legislation in the countries we operate in, as well as legislation in donor countries.

We are particularly diligent in terms of complying with national and international criminal law. We do not work with individuals, groups or organisations with links to the drug trade, human trafficking and/or exploitation (particularly the worst forms of labour, including prostitution), tax evasion and/or

¹ Tdh's values are courage, ambition, respect and commitment.

tax avoidance, or any other forms of criminal activity (**see our Prevention Policy against the Financing of Criminal Activities**).

We ensure compliance with data protection laws in force in Switzerland and our countries of intervention, and with confidentiality requirements for personal and/or sensitive data pertaining to beneficiaries, members of communities in which we operate, partners, donors and any other stakeholders, subject to our contractual obligations or transparency or freedom of information requirements in national or international laws (**see our Data Protection Policy**).

C Standards and certifications

We comply with internationally recognised standards, certifications and best practices for techniques and programmes in the international cooperation and humanitarian aid sectors. Examples include the Inter-Agency Standing Committee (IASC) guidelines on mental health and psychosocial support in emergency settings², the “Do No Harm” framework³, the SPHERE handbook⁴, the Core Humanitarian Standard on Quality and Accountability and guidance notes⁵, the Minimum Standards for Child Protection in Humanitarian Action (CPMS)⁶, and the standards of Switzerland’s ZEW O label⁷ (**see our Quality and Accountability Policy**).

III. Our core commitments

The commitments defined below concern Tdh’s behaviour towards all of our internal and external stakeholders: beneficiaries and members of their communities, paid employees, volunteers, and employees of third-party organisations and partners. These commitments apply to behaviour in both professional and private settings.

1 We respect our values

Tdh’s actions are governed by four key values: ambition, respect, courage and commitment. We expect our personnel to behave honestly, responsibly and transparently in all situations, and to adopt conduct in keeping with our values.

2 We act honestly and ethically

Tdh does not tolerate any form of abusive behaviour, be it physical, psychological, sexual or economic; intentional or due to negligence. Threats, abuses of authority, fraudulent management, misappropriations of funds, collusion, the use of force or dominant positions, or any other form of abuse shall not be tolerated under any circumstances. Such behaviour shall be addressed with all due diligence and seriousness. Tdh, in accordance with the legal framework, and subject to any

² <https://interagencystandingcommittee.org/mental-health-and-psychosocial-support-emergency-settings-0/content/iasc-guidelines-mental-health>

³ <https://www.eda.admin.ch/deza/en/home/themes-sdc/fragile-contexts-and-prevention/preventing-recurrent-cycles-violent-conflicts/conflict-sensitive-programme-management.html>

⁴ <http://www.sphereproject.org/handbook/revision-sphere-handbook/>

⁵ <https://corehumanitarianstandard.org/files/files/Core%20Humanitarian%20Standard%20-%20English.pdf>

⁶ <http://cpwg.net/minimum-standards/>

⁷ <https://www.zewo.ch/en/the-21-zewo-standards>

clearly substantiated exceptional circumstances⁸, shall report cases of abuse to the relevant authorities and take adequate disciplinary measures, as set out in personnel rules applicable in the country of intervention or at head office.

3 We work to safeguard children

Tdh requires employees to adhere to the highest standards of behaviour when dealing with children, setting a good example, remaining non-violent and kind at all times. Under no circumstances may employees touch children improperly, use inappropriate language, make objectionable suggestions, provoke, harass, criticise or look down on a child, fail to respect the child's cultural practices, or exploit a child through labour or in any other manner (**see our Child Safeguarding Policy**).

In accordance with the CRC and our institutional policy, we have zero tolerance for child abuse. We support the principle of responsibility for all and the duty to report abuse (**see our Whistleblowing Policy**).

4 We condemn all forms of sexual abuse and/or exploitation

Tdh has zero tolerance for any form of sexual abuse and/or exploitation targeting beneficiaries, members of communities in which we operate, or any other vulnerable person, whether the abuse is perpetrated by our personnel or authorised representatives acting on our behalf.

In particular, we consider that requesting sexual favours in return for money, employment, goods, services or any form of assistance is strictly forbidden.

We consider that such abuses constitute serious misconduct. In accordance with the legal framework, and subject to any clearly substantiated exceptional circumstances⁹, cases of abuse shall be reported to the relevant authorities and result in the termination of the contractual relationship.

We wish to create and maintain a work environment that is conducive to the prevention of sexual abuse and exploitation. We constantly seek to communicate on and raise awareness of this issue to prevent the development of a culture of complacency and impunity (**see our Child Safeguarding Policy**).

5 We respect the principle of non-discrimination

Tdh does not accept discriminatory behaviour, either direct or indirect, towards the stakeholders we deal with, whether in the context of managing professional activities or in the context of personal relationships. In practical terms, we refrain from making any offensive remarks or adopting offensive attitudes concerning a person's race, ethnicity, skin colour, caste, religion, belief, status, origin or nationality, political opinion, gender, sexual orientation, disability or age. We are attentive to issues linked to planning and improving accessibility for disabled persons (**see our Gender and Diversity Policy**).

⁸ Where the local system permits it, and where this does not put the victim or their entourage in danger. In situations where a person has been abused, the victim's willingness to report the case is also a key factor in determining which action to take. In situations where a child has been abused, the child's best interests are a key factor in decisions.

⁹ See note 8.

6 We respect the dignity of the populations we work with

Any communications materials using personal information and/or images of children and their families must comply with the relevant basic ethical principles and rules (**see our Child Safeguarding Policy**). This includes but is not limited to: obtaining the consent of children, children's parents or a person responsible for the children before publishing photos or testimonies; always respecting children's dignity and not presenting them as victims; guaranteeing children's security and protecting their privacy if necessary; and never publishing photos of naked or inadequately dressed children.

Images and information concerning Tdh's beneficiaries may be used for professional purposes only. Images and information may only be distributed via our official communications channels. For publications on social media, we recommend following existing good practices to avoid breaches of ethical principles and rules in the communications field (**see our Social Media Guidelines**).

7 We respect our institutional framework

Tdh fulfils the tasks entrusted to it and acts with good judgement and kindness, in line with the values and rules that are part of its institutional framework. Our **Good Governance Policy** determines how we operate in the field of management and internal control and sets out individual responsibilities. This policy ties in directly with our **statutes, organisational rules, and management rules**. Our **institutional policy** establishes a framework for the management and development of institutional documentation (policies, rules, procedures and directives). Our personnel must respect all internal rules and instructions.

8 We act responsibly towards our personnel

Tdh's personnel are of paramount importance and the organisation's strength. We take our responsibilities towards personnel very seriously, both when recruiting new staff and supporting, supervising and training existing staff (**see our Health Policy, Security Policy and Human Resources Policy**).

9 We use IT equipment responsibly

Tdh respects rules on the use of IT equipment. Access rights to our IT system are personal and non-transferable. They are cancelled when the user no longer meets the different conditions for access. Our IT resources should only be used for professional purposes. Using these resources for private purposes is tolerated, provided that this use is reasonable and does not harm the Foundation's reputation or image, or negatively affect the performance of the IT network. Individuals are responsible for their own use of the IT resources at their disposal. Personnel must not perform operations that could negatively affect network operations, the integrity of IT tools, or Tdh's internal and external relationships. Personnel must not make fraudulent use of tools or content for which the licenses acquired (or any other form of copyright) do not comply with applicable legislation (**see our IT Rules**).

10 We conduct activities diligently

Tdh is as diligent as possible when conducting activities and fulfilling contractual obligations to donors, particularly when managing administrative, financial and logistical affairs, by ensuring that the funds managed are used for the agreed purposes and in accordance with the principles of

quality, transparency, economy, competition, integrity, cost-effectiveness¹⁰, efficiency and excellence, pursuant to international standards.

We ensure that accounting records and documents supporting project implementation are kept in compliance with the legal and contractual obligations in force, and stored in a safe place.

When implementing projects and contracts, we place special emphasis on ethics and compliance with the principals of equal treatment, non-discrimination among partners and suppliers, and impartial assistance to beneficiaries.

We develop and implement fair and transparent administrative, financial and logistical procedures to help prevent conflicts of interest (**see our Administrative, Financial and Logistical Policy**).

We adhere to high standards concerning the working conditions, equal treatment and social and union rights of staff, partners and suppliers. As such, we avoid relationships with partners or suppliers that are involved in child labour, exploitation or any other human rights violations, even indirectly. We immediately terminate contractual relationships if one of these conditions is breached.

11 We respect the environment

Tdh conducts all its activities with the greatest respect for the environment and in compliance with corporate social responsibility commitments. To respect these commitments, we avoid misusing natural resources, reduce environmental impacts and minimise use of substances and compounds that harm the environment. Furthermore, we take special care when selecting suppliers and partners, and avoid contractual relationships with entities whose activities are inconsistent with the ethical use of resources or which fail to respect populations (**see our Administrative, Financial and Logistical Policy**).

12 We work with reliable partners

Tdh ensures that its partners are competent, are part of civil society, share similar goals and promote similar values. We want to work with entities that respect basic good governance principles and our Child Safeguarding Policy.

Before entering into partnerships with private businesses, we closely examine these companies in line with strict acceptance criteria and our code of ethics on fundraising among businesses and foundations. If necessary, we subject companies to an ethical analysis (**see our Policy for Collaboration with Businesses**).

IV. Procedure to follow for suspected or alleged breaches of the Code of Conduct

The successful implementation of this Code of Conduct depends on all Tdh employees taking individual and collective responsibility.

Any suspected or confirmed breach of this Code of Conduct must be reported as quickly as possible to a supervisor or the email address for reporting concerns, *concern@tdh.ch*.

Whistleblowers will be protected: under no circumstances will they be dismissed, demoted or discriminated against for reporting a breach of one of the principles in this Code of Conduct.

¹⁰ The best combination of the life cycle cost and quality.

The confidentiality of all stakeholders shall be respected for the entire duration of the procedure.

Tdh management shall take all the measures it considers necessary, such as:

- Establishing the facts as objectively as possible (respecting the presumption of innocence) while protecting the reputation and anonymity of the persons(s) involved.
- If a breach is confirmed, reporting the case to the relevant authorities, in compliance with the legal framework and subject to any clearly substantiated exceptional circumstances¹¹.
- Taking the necessary disciplinary measures, which may include suspending or terminating the employment contract.
- Reserving the right to inform other organisations requesting professional references that the contract was terminated following a serious breach of the Code of Conduct, subject to applicable data protection laws.
- Defining appropriate measures to prevent repeat occurrences of such incidents by updating the relevant processes / procedures.

Any employee that falsely reports a breach for the purposes of harming another employee or Tdh may be reported to the relevant authority and face disciplinary measures.

V. My commitments as an employee, representative or volunteer of the Terre des hommes Foundation

- I agree to comply with and promote human rights without discriminating, and to treat the communities Tdh works in with respect and dignity, in accordance with international norms and the organisation's ethical values and principles.
- I am aware that my behaviour when performing duties for Tdh must be exemplary at all times and comply fully with the rules in this Code of Conduct.
- I understand that any form of abuse, whether psychological, physical or economic, will result in disciplinary measures.
 - Harassment, abuse and sexual exploitation are strictly forbidden. I understand that exchanging money, goods, employment, services or assistance in return for sexual favours will result in my conduct being reported and disciplinary measures being taken. Sexual relationships with children are not accepted under any circumstances, regardless of the age of sexual maturity or consent in the country of intervention concerned.
 - Similarly, any breaches of the Child Safeguarding Policy will be severely punished. Violence towards children is not tolerated under any circumstances, regardless of whether this violence is physical, psychological or due to negligence.
 - The improper use of Tdh's resources (for example, fraudulent management or theft) and abuses of power will also result in disciplinary measures.
- I will prove myself worthy of the trust placed in me by acting with transparency and accountability. I will act in a professional manner by applying the principals of quality, efficiency and good management when carrying out activities. I will respect my mandate and

¹¹ See note 8

the goods entrusted to me. I will not derive any personal advantage, whether direct or indirect, from my work. For this reason, I will declare any interest that could be problematic.

- I agree to report any concern or suspicion that this Code of Conduct may have been breached by a person working for Tdh or a partner organisation to my supervisor or the email address *concern@tdh.ch*. I understand that confidentiality shall be strictly respected and that I will not face reprisals for reporting this concern.

VI. Declaration of commitment

I, the undersigned,

.....

declare that I have received, read and understood the General Code of Conduct of the Terre des hommes Foundation, particularly the rules concerning the Child Safeguarding Policy.

I declare that I am familiar with and accept to work in accordance with these documents and, therefore, in accordance with all of the Foundation's policies and rules.

I understand that any failure to comply with the Code of Conduct may result in my actions being reported to the relevant authorities and the imposition of disciplinary measures, including the immediate termination of my employment contract.

Place / Date:

Signature:.....