



LUTHERAN WORLD SERVICE INDIA TRUST

(An Associate Program of The Lutheran World Federation, Department for World Service, Geneva)

STAFF CODE OF CONDUCT REGARDING SEXUAL EXPLOITATION AND ABUSE, ABUSE OF POWER, FRAUD AND CORRUPTION

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1. LWSIT Code of Conduct

The main purpose of the LUTHERAN WORLD SERVICE INDIA TRUST Code of Conduct is to Promote greater accountability among and between members of the LWSIT and the people with whom the organization works in rights based, humanitarian and development programmes. It seeks to protect staff as well as each woman, man, girl and boy within LWSIT's work sphere from abuse by individuals or groups from within the LWSIT organization and from implementing partner organizations. The CODE OF CONDUCT is intended to serve as a guide for all staff, companions, associates and volunteers to make ethical decisions in their professional lives and at times in their private lives. The LWSIT Code of Conduct embodies zero tolerance with regard to sexual exploitation and abuse, harassment, abuse of power, fraud and corruption in all its activities and responsibilities.

Members of the LWSIT and its unit offices (hereinafter referred to as "LWSIT and Units") have a common commitment to prevent sexual exploitation, abuse, harassment, unethical business practices and security breaches. LWSIT members together with the implementing units support or implement development and advocacy programmes in many LWSIT locations. The staff (defined below) being facilitators and volunteers, are personally and collectively responsible for upholding and promoting the highest ethical and professional standards in their work.

2. Scope

The Code of Conduct applies to all staff, companions, associates and volunteers including Executive Director, Management or supervisory staff. It is further defined as follows:

"Staff" refers to all staff, full time, part time at the LWSIT HQ and UNITS. It equally applies to staff Trainees, fellows and all those engaged on short term contracts, interns or persons on exposure visits to LWSIT projects. The Code applies to staff while they are on duty and while on mission to represent LWSIT in any location around the World. The Code of Conduct will be signed by all LWSIT staff AND A SIGNED COPY KEPT THEREOF WITH LWSIT AS A TOKEN OF ACCEPTANCE. All staff are responsible for ensuring that the Code of Conduct is complied with.

The term "staff" will be used hereinafter for all intents and purports.

3. LWSIT Staff Responsibility

The LWSIT Code of Conduct outlines the key responsibilities of all LWSIT staff in relation to the welfare and rights of the people with whom they work on the rights based, development and humanitarian, context. It is designed to assist staff to better understand the RIGHTS obligations placed upon their conduct so as to prevent the Sexual Exploitation and Abuse (SEA) and all forms of harassment.

Therefore, all LWSIT staff must:

- Respect and promote fundamental human rights without discrimination.
- Treat all communities with whom the staff are to work on behalf of LWSIT (including Adivasis, women, Dalits, crisis affected populations) fairly and with respect, courtesy, and dignity by respecting State Laws and Local Customs.
- Promote the implementation of the Code of Conduct by creating and maintaining an environment that prevents corruption, abuse of power, and sexual exploitation and abuse.

- Report immediately any knowledge, concern or suspicion of breaches of the Code of Conduct to the Organization through Senior Management or the Human Resources Manager (or following procedures established by the organization's Internal Complaints Mechanisms) who is expected to take prompt investigation to that respect.
- Be aware that failure to disclose or knowingly withhold information about any incidents, concerns or suspicions of breaches of this Code of Conduct, which constitutes grounds for disciplinary measures up to and including dismissal from service.
- Feel protected by LWSIT's commitment to providing a safe environment through which to voice a concern without fear or reprisal or unfair treatment as articulated in the LWSIT Complaints Mechanism Policy and Procedures.
- Uphold the highest standards of accountability, efficiency, competence, integrity and transparency in the provision of goods and services in the execution of their job.
- Cooperate when requested with any investigation into alleged breaches related to this Code of Conduct.

4. Sexual Exploitation and Abuse

LWSIT recognizes the dangers of Sexual Exploitation and Abuse (SEA) in any development or humanitarian setting.

To protect LWSIT stakeholders in all situations, LWSIT and its UNIT staff must decisively support their interests and wellbeing while on duty and off duty time.

- LWSIT and its staff understand that sexual exploitation and abuse by staff involved in rights based development and humanitarian work constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Never engage in any sexual activity with children (person under the age of 18) regardless of the age of majority or age of consent locally. Sexual activity with children is prohibited within the LWSIT. Mistaken belief in the age of a child is not a ground for defense.
- Not to accept, solicit or engage in the buying of or profiting from sexual services. This is applicable of LWSIT staff both within and outside of working hours.
- Never exploit the vulnerability of any target group in the context of development and humanitarian work especially women and children or allow any person/s to be put into compromising situations.
- Know that the exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behavior is prohibited. This includes misuse of assistance that is due to the right holders.
- Never abuse a position to withhold development or humanitarian assistance or give preferential treatment in order to solicit sexual favours. Gifts, payments or any kind or advantage.
- Not to imply or explicitly promise preferential treatment for employment, promotion, hike in pay, or any other benefit in exchange of sexual favours.
- Not to imply or express covert threat of detrimental treatment in employment e.g, a woman is threatened with demotion if she does not agree for a sexual gratification.
- Not to engage in humiliating treatment affecting the health and safety of women staff

5. Harassment

LWSIT staff shall never commit any act or form of harassment that could result in physical sexual or psychological harm or suffering to individuals, especially women and children. LWSIT does not tolerate any form of workplace violation such as harassment (including sexual harassment) bullying and discrimination, such as any unwelcome comment or behavior that is offensive, demeaning, humiliating, derogatory or any other inappropriate behavior that fails to respect the dignity of an individual.

Therefore, all LWSIT and UNIT staff must

- Treat everyone with dignity and respect in the workplace or during field visit monitoring and community visit.
- Never commit any act or form of harassment that could result in physical, sexual, psychological or emotional harm or suffering to individuals, especially women and children.
- Never engage in any behavior, deliberate or otherwise that makes the recipient feel that she/he is being viewed as a sexual object.
- Understand what constitutes harassment, recognize early signs of sexual harassment and take swift action to prevent and resolve.
- Understand what constitutes bullying, empower staff that are affected by it and develop strategies for reducing and stopping it.
- Establish proper systems for investigating, recording and dealing of conflict.
- Investigate complaints quickly while maintaining discretion and confidentiality and protecting the rights of all individuals involved.

6. Fraud and corruption:

LWSIT in all its programs recognizes the importance of having in place effective systems of prevention and deterrence of fraud, both in project locations and at the National Office. This will include strong systems of internal control, effective lines of communication and supervision, establishment of a professional working environment, and fraud risk appraisal systems at all levels.

Therefore, LWSIT staff shall:

1. Promote a culture of honesty and openness among LWSIT staff and management.
2. Be transparent in all work-related financial transactions.
3. Never accept, solicit or promise any kind of undue payment or favors and actively say “no” to any such practices
4. Never steal, misuse or misappropriate funds or property, ensuring that financial and other resources are used solely for the intended purposes. This applies also to any other income generated such as any interest received/earned on the funds.
5. Never engage in document or cheque forgery, money laundering, taking of commissions and influencing tender processes for improper benefit and theft.
6. Create a work environment where communities and staff can safely and confidentially raise and report all serious concerns about suspected fraud and corruption, and where “whistle blowers” will be protected.
7. Never knowingly support individuals or entities involved in illegal activities.

8. Never deliberately destroy, falsify, alter or conceal evidence related to an investigation or make false statements to investigators in order to materially influence or impede investigations into corrupt, fraudulent, coercive or collusive allegations.
9. Conduct all businesses in accordance with internationally accepted practices and procedures and uphold the highest standards of accountability and transparency in relations to finances, management and governance, where relevant.

7. Unethical business practices:

LWSIT as a faith based ecumenical institution, promotes moral and ethical business practices, including transparent, accountable, and honest practices in financial transactions, donations, gifts, and human resource management. LWSIT staff shall avoid conflicts of interest and activities which may affect LWSIT's credibility and integrity.

Therefore, LWSIT staff shall:

- a. Always follow transparent, accountable and honest practices when receiving cash or any kind of donations from public and private sources earmarked for humanitarian or development purposes.
- b. Never use or accept a bribe in the form of money, goods and or services to secure a contract for services when dealing with suppliers in any development or humanitarian work.
- c. Never take part in activities that generate personal profit, such as buying or selling, when such activities may affect or appear to affect LWSIT's credibility or integrity.
- d. Never share in the profits or budget leftovers as kickbacks, cuts or discounts for personal or organizational benefits.
- e. Declare any known or potential conflicts of interest to LWSIT (e.g. direct relationship with service providers or suppliers of goods for LWSIT programs or family members).
- f. Not accept any gifts or other favors that may influence the performance of staff functions or duties. Gifts are defined as, but not limited to: services, travel, entertainment, and material goods, among others. In order to respect national and local traditions and conventional hospitality, minor token gifts such as pens, calendars, desk diaries, etc. can be accepted on behalf of LWSIT and should be declared to the appropriate LWSIT office.
- g. Never use illegal labor, child labor and forced labor in any work area.
- h. Always pay compulsory State taxes and comply with national business laws and international standards.
- i. Always strive for the optimum health, safety and environmental standards in all program work.
- j. Ensure, where possible, that goods purchased are produced and delivered under conditions that do not involve the abuse or exploitation of any person and have the least negative impact on the environment.
- k. Never use/distribute known unsafe products or supplies in a development/humanitarian settings.

When this Code of Conduct is violated, LWSIT is bound by ensuring that

- i. Violations of these standards shall be immediately reported to the concerned Internal Complaints Committee, who are expected to take prompt investigative action.
- ii. Failure to disclose or knowingly withhold information about any reports, concerns or suspicions of breaches of this Code of Conduct constitutes grounds for disciplinary measures.

- iii. All confidential information, including reports of breaches of these standards by colleagues, obtained from affected populations and communities or colleagues shall be channeled correctly and handled with utmost confidentiality.
- iv. Any violation of the Code of Conduct will result in disciplinary action in accordance with the respective LWSIT terms, conditions and regulations.
- v. Any staff member purposely making false accusations on any action by another staff member, which is in breach of the Code of Conduct, shall be subject to disciplinary action at the discretion of the employer, and in accordance with national labor laws.

8. Security breaches:

LWSIT places the security and safety of all staff and those with whom we work as a top priority and will strive to do all that it reasonably can, to ensure that staff is secured as they go to their work. Security is an individual as well as an organizational responsibility, therefore all LWSIT staff must :

- Never use or possess weapons or ammunition of any kind while on duty.
- Never drive a vehicle while on duty under the influence of alcohol or any illegal substance and comply with the laws of the country in which they are working in relation to both.
- Never share confidential documents of the organization to other's especially documents related to finance and details of staff and their movements with strangers.

(Refer to LWSIT Complaints Mechanism Policy and Procedure)

9. Third Party Harassment

Where sexual harassment occurs to staff, as a result of an act or omission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support, security and further preventive action.

End Note

The references of this LWSIT CODE OF CONDUCT is taken from the LWF/DWS Code of Conduct and other International Codes of Conduct such as Red Cross and Red Crescent, HAP and ACT Alliance, and the laws governing the Indian Penal Code (IPC) on Sexual Harassment at Workplace for Women.

Understanding LWSIT Staff Code of Conduct

10 Understanding the Code of Conduct

The signatory (LWSIT staff) below has read understood and is in agreement with the content of this document. The LWSIT Code of Conduct which shall be subject to periodic revision and review. The signatory accepts the consequences of any violation of any of the above provisions under this Code of Conduct.

Name:

Designation

Signature

Place:

Date: