



PIN Code of Conduct – ESSENTIAL PRINCIPLES

Introduction

People In Need (PIN) is a non-governmental, non-profit organisation providing relief and development assistance worldwide, supporting democratic efforts and promoting human rights in the world and promoting social improvement for the poor or vulnerable families through counselling and educational services in the Czech Republic.

PIN is committed to the best practice and quality of work of its staff, its partner organisations and other third parties, including the suppliers.

The purpose of the document PIN Code of Conduct – Essential Principles (hereinafter Essential Principles) is to provide clear guidance on the standards of behaviour required by all PIN implementing partners, civil society organisations, INGOs, networks, alliances, and suppliers, involved in PIN programmes, further referred to as “third parties”.

Any unacceptable behaviour breaching this Code may result in termination of the contract with PIN. Whilst recognising that laws and cultures differ considerably from one country to another, the Code is based on international legal standards, universal principles of codes of conduct and basic human rights¹.

STANDARDS OF CONDUCT

The management and legal representatives of the PIN third parties are obliged to ensure that their staff (including employees, consultants and volunteers) will avoid any unacceptable behaviour and they will comply with the following standards:

◆ Highest standard of personal and professional conduct

All PIN third parties must ensure that their behaviour during and outside of work supports PIN’s positive reputation.

All people have to be treated with respect and dignity. Any forms of discriminative behaviour on the basis of race, gender, religion, social status, colour, national or ethnic origin, age, disability, sexual orientation and others are unacceptable.

Any behaviour likely to cause harm to children, including physical, sexual, emotional abuse and neglect, is prohibited.

PIN third parties have to observe local laws and cultural norms and behave in culturally sensitive manner, as long as the rules of local laws do not contradict international legal standards, universal principles of Codes of conduct and basic human rights

PIN third parties should always use appropriate language, appear and dress in a way corresponding to their position and given situation, creating a respectable and positive perception of PIN.

The possession, distribution or consumption of illegal substances at the work place (including vehicles) or when on duty is strictly forbidden. Any type of work under the influence of alcohol, drugs or any illegal substance is not acceptable.

¹ Rights formulated in the Universal Declaration of Human Rights, the UN Convention on Rights of the Child and the UN Convention on Elimination of All Forms of Discrimination Against Women.

◆ No involvement in activities which are illegal or might compromise the work of PIN

- ◆ Taking part or supporting any illegal or criminal activities is unacceptable. This principle does not apply to activities designated as illegal by state authorities if such activities are expression of promotion of basic human rights.
- ◆ Abuse or exploitation of children or adults in any way or any activities contravening basic human rights are forbidden.
- ◆ Any other inappropriate behaviour or action that might jeopardise PIN's reputation must be avoided.
- ◆ In case a PIN third party (or its staff) is subject to **criminal prosecution** they are obliged to inform their PIN Focal Point immediately.
- ◆ Direct or indirect support of terrorism or any cooperation with the sanctioned entities

◆ No corruption and no conflicts of interest

No corrupt or fraudulent behaviour is acceptable.

PIN third parties have to avoid any situation where personal interests could be in conflict with the interests of PIN.

Corruption

Corruption is an abuse of the entrusted power for the private advantage of any person. This includes offering, giving, demanding or receiving financial or material gifts, loans, rewards, provisions or any other advantages from/to a third person as incentive to achieve something which is dishonest, illegal or breaching confidence within the framework of contractual relations. This refers in particular to:

- ◆ Bribery and the acceptance of bribes, excessive gifts or favours in return for PIN support, goods or services
- ◆ Granting and receiving advantages, including return parts of contractual payments ("kickbacks")
- ◆ Facilitation payments
- ◆ Fraud and embezzlement (utilization of the entrusted funds for personal use)
- ◆ Agreements reducing competition
- ◆ Extortion and money laundering

Fraud

Fraud is a theft or misuse of funds or other resources, which may or may not also involve misstatement of financial documents or records to conceal the theft or misuse. Examples of fraud include, but are not limited to, the following:

- ◆ Theft of funds or any other PIN property
- ◆ Falsification of costs or expenses
- ◆ Forgery or alteration of documents
- ◆ Destruction or removal of records
- ◆ Inappropriate use of project assets or funds
- ◆ Seeking or accepting cash, gifts or other benefits from third parties in exchange for preferment of the third parties in their dealings with PIN
- ◆ Blackmail or extortion
- ◆ Paying of excessive prices or fees to third parties with the aim of personal gain

Procedures for resolving conflict of interests

All PIN third parties have a duty to primarily avoid entering into any conflict of interest. In case such a situation is or might be likely to happen, every PIN third party has to acknowledge this fact as soon as possible to their PIN focal point for further consultation. Failing to do so may result in disciplinary or contractual measures.

- ◆ Several options are available for mitigation of conflict of interests or mitigation of consequential risks. It is up to the decision of relevant supervisor to choose the adequate means of resolving the given situation.

No bullying, harassment, discrimination, intimidation or abuse

Actions of PIN third parties should be fair and honest. All people have to be treated with dignity and respect and PIN third parties must never engage in any humiliating, degrading or exploitative behaviour.

Any form of physical violence - unless in self-defence – is unacceptable and will lead to immediate dismissal. The use of inappropriate, violent or offensive language in oral or written form towards others is not acceptable.

No Trafficking in persons

Trafficking in persons means the recruitment, transportation (including failure to provide return 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 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.

No Modern Slavery

Modern slavery refers to situations where one person has taken away another person's freedom – their freedom to control their body, their freedom to choose to refuse certain work or to stop working – so that they can be exploited. Freedom is taken away by threats, violence, coercion, abuse of power and deception.

◆ No sexual exploitation, abuse and harassment

In order to protect the most vulnerable adults and children, and to ensure the integrity of PIN international activities, the following six Core Principles must be adhered to:

1. Child abuse and sexual exploitation, abuse and harassment by PIN third parties constitute acts of gross misconduct and are therefore grounds for termination of contract or legal action.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of the 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 by PIN third party staff is prohibited. This includes the exchange of assistance that is due to program participants.
4. Sexual relationship between the third-party staff and the recipient of assistance from the PIN project, who directly benefits from the delivery made by the third party can be based on inherently unequal power dynamics and may undermine the credibility of PIN and its work. As such, PIN considers it unacceptable.
5. Where a PIN third party staff develops concerns or suspicions regarding sexual abuse, harassment or exploitation and child abuse by a fellow worker, whether in PIN or not, he or she must immediately report such concerns via the established agency reporting mechanisms.
6. PIN third parties are obliged to create and maintain an environment that prevents child abuse and sexual exploitation, abuse and harassment.

◆ No child abuse

Keeping in mind that behaviour and actions taken towards children need additional sensitivity, it is important to highlight behaviour that should be observed and/or avoided **when in direct contact with children**.

PIN third parties must

- ◆ Treat children with dignity and respect regardless of ethnicity, race, gender, age, language, religion, political or other opinion, disability, or other status.
- ◆ Behave appropriately; make sure that language is moderated in their presence and refrain from adult jokes or comments that may cause discomfort or offence.
- ◆ When working in the proximity of children be visible and, wherever possible, ensure presence of another adult.
- ◆ **In relation to child labour**, PIN observes the Convention on the Rights of the Child, which stipulates that children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play. At the same time, „*state parties shall provide a minimum age for admission to employment* “. **PIN third parties should therefore act in compliance with the Convention and relevant legislation in the given country.**
- ◆ Raise voice (report) when having concerns about child's protection and safety.
- ◆ When collecting data from children (during assessments, monitoring and evaluation, etc.) reduce the risk of potential harm by using culturally appropriate ways of communication, obtaining informed consent, ensuring confidentiality and not asking about painful experiences. If distressing data has to be obtained, try to use indirect data collection methods and be prepared to refer the distressed child to professional care.
- ◆ When getting and/or using **children's images** for visibility purposes (i.e. photographing or filming a child/children):

- ▶ Ensure that the products (e.g. photographs, films, videos) present children in a dignified and respectful manner, with children being adequately clothed and not in poses that could be misleading or seen as sexually suggestive
- ▶ When taking an image of a particular child for a specific purpose (medialization, advocacy, fundraising, etc.), explain how the product will be used and for that obtain legitimate consent from the child, whenever possible also from a parent or guardian of the child
- ▶ Ensure that images of children available for public use do not reveal any identifying information

Staff of PIN's third parties must not:

- ◆ Touch a child in an inappropriate or culturally insensitive manner (personnel in direct medical care positions are to follow International and/or local country industry best practice guidelines)
- ◆ Use language or demonstrate behaviour that is harassing, abusive, demeaning, sexually provocative, or culturally insensitive towards children
- ◆ Engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive
- ◆ Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse, discriminate against, show differential treatment, or favour particular children to the exclusion of others.
- ◆ Physically assault or punish children
- ◆ Engage children in any form of sexual activity or acts, including paying for sexual services or acts or child marriage
- ◆ Do things for a child of a personal nature that they can do for themselves (e.g. if PIN supplier's member happens to be involved in any dressing, or undressing of outer clothing, or where there is physical contact of lifting or assisting a child to carry out particular activities). In situations with no other option (e.g. when helping a child with disability), these tasks should only be carried out with a full understanding of parents/guardian and of the children involved. There is a need to be responsive to a child's reactions and if a child is fully dependent, talk with them about what is going to be done and give them choices where possible
- ◆ Access child pornography or any inappropriate pictures of children through any medium
- ◆ Invite unaccompanied children without their and parent's or guardian's approval into solitary; places, unless they are at immediate risk of injury or in physical danger
- ◆ Sleep in close proximity to unsupervised unrelated children
- ◆ Hire children for domestic or other labour which is inappropriate given their age or developmental stage and which interferes with their time available for education and recreational activities, or which puts them at risk of injury

◆ Responsibility towards PIN asset, resources or information

PIN third parties are expected to use assets, financial and other resources from PIN project in a responsible and accountable manner, following any other specific guidelines and procedures shared for that purpose. PIN equipment must not be used for any illegal activity, including any form of harassment, intimidation or degrading activities or comments.

With the only exception, where the use of PIN equipment by organizations that PIN supports and that may in fact be involved in activities considered as illegal by some (totalitarian) state authorities)

Any entrusted project goods and services must be used in an appropriate manner. Causing damage intentionally or through gross negligence to any property of PIN or to any property directly connected with the work of PIN is unacceptable.

Any private or confidential information related to PIN's work must not be shared with external personnel verbally, in written form, through media, social networks or otherwise, unless legally required to do so.

◆ **Responsibility towards one’s health, safety and security and of those you manage**

Staff of PIN third parties have to behave in ways that avoids unnecessary risks to the health, safety and security of PIN beneficiaries and PIN staff.

◆ **Obligation to report and investigate all breaches**

Any known or suspected cases of unacceptable behaviour which are in direct breach of these Essential Principles and that directly involve and/or affect PIN must be brought to PIN’s attention

- **by informing PIN Country Program Focal Point or Country Director**
- by making use of other feedback reporting mechanisms that PIN has in place

When this standard reporting channel is not available or was exhausted, report should be sent to one of these addresses:

- ▶ for suspicion of fraud or corruption: fraud@peopleinneed.cz
- ▶ for any other serious complaints: report@peopleinneed.cz.
- ▶ for safeguarding cases: psea@peopleinneed.cz

Link to full version of PIN Code of conduct and Key policies on our website is here:

<https://www.clovekvtisni.cz/en/Essential-policies-4142gp>

I have read carefully and understood these Essential Principles and agree to abide by their requirements, and on behalf of the legal entity that I represent, commit to upholding the standards of conduct required.

I understand that failure to comply these Essential Principles may result in disciplinary action up to and including dismissal, **termination of partnership or implementation or service agreement** and, where applicable, may result in civil or criminal proceedings against me, or the legal entity that I represent.

Name:..... Signature:.....

Date:..... Organization:.....

Location:.....