

POLICY/PROCEDURE

PERSONAL CODE OF CONDUCT

INTENT:

Tearfund Canada is committed to lawful and ethical behaviour in all of its activities and requires its staff and representatives to conduct themselves in a manner that maintains the effectiveness, values and mission of the organisation and protects Tearfund's reputation as a distinctively Christian organisation, including compliance with all applicable laws and regulations. By accepting employment with Tearfund, or by representing Tearfund in any way, staff members and representatives accept the requirements outlined in this policy, as amended from time to time.

1.0 Introduction

Tearfund Canada's vision is to see all people freed from poverty, living transformed lives, and reaching their God given potential. Our mission is to partner with the church to bring restoration to those living in poverty and need. We are a Christian organisation that seeks to follow Jesus Christ as Lord and Saviour, we adhere to Tearfund's *Statement of Faith and Community Values* (see Annex), and seek to live by our values that are to be Christ-centred, Compassionate, Truthful, Courageous and Servant hearted. We believe in the God-given inherent worth of each person and recognise our responsibility to conduct ourselves in a way that affirms respect, dignity, and the equal value of each individual. We listen to local communities, valuing their God-given abilities, resources and dreams, and building their capacity and ownership for facilitating long-term sustainable change as well as short-term results.

Whilst recognising that local laws and cultures differ considerably by country, Tearfund is a Canada based NGO, so our policy is based on Canadian and International legal standards. We also recognise that there may be situations where mandatory local laws prohibit certain actions and, in such situations, we expect staff to abide by local law. Before taking any action to address misconduct under this Policy, management will seek to ensure situation is managed in line with relevant legislation and good practice.

1.1 Principles

- Tearfund is committed as an organisation to personal conduct that is ethical, legal and consistent with its vision, mission and values.
- Tearfund opposes and does not act as a willing party to wrongdoing, corruption, bribery or other financial impropriety, or illegal acts in any of its activities.
- Tearfund's staff and representatives are expected to conduct themselves in a manner that:
 - reflects honesty and integrity
 - promotes trust and respect between colleagues and those we interact with, especially beneficiaries
 - maintains the effectiveness, values and mission of the organisation; and
 - protects Tearfund's reputation as a distinctively Christian organisation.
- It follows that Tearfund will consider it to be misconduct if any member of staff behaves in ways that lead to a breach of trust, renders them unsuitable for the type of work they do, affects their

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or others' performance, harms themselves or others, is party to an illegal act, or damages Tearfund's reputation.

- A staff member's behaviour outside working hours would also result in action under the misconduct policy if it resulted in any of these outcomes.
- Behaviour by representatives (during or outside hours when they are representing Tearfund) which leads to a breach of trust, renders them unsuitable for the representation work they do, affects their or others' performance, harms themselves or others, is party to an illegal act, or damages Tearfund's reputation will also result in action by Tearfund. Any breach of this code by a consultant or contractor will be dealt with under the terms of the contract and may result in the termination of the contract if serious. Any breach of this code by a Volunteer, Board or Committee member will be reviewed by the appropriate member of Tearfund staff or Tearfund Board Chair, and if serious may result in the individual being asked to step down from their role or responsibilities and/or make good any loss.
- Tearfund will take prompt, fair and proportionate disciplinary action whenever and wherever wrongdoing is found among its staff.

1.2 How to use this document and questions

If a member of staff or representative is unsure of the standards required of them in any area relating to their work or terms and conditions of employment, they should speak to their supervisor or CEO, or if a member of the Board or Committee, to the Chair of the Board, who will be able to clarify requirements.

Tearfund expects line managers to be able to recognise potential breaches and refer them appropriately the CEO. Determining whether there is a potential breach is often a matter of judgement depending on the context, so applying the principles listed in section 1.1 will be key.

2.0 Policy guidelines regarding standards of behaviour

2.1 Personal conduct standards that are positive and encouraged

Tearfund Canada is committed to transforming communities through restored relationships. Staff and representatives are expected to promote good relationships with all those with whom they work, and to recognise the inherent worth of each individual as made in God's image. We expect and encourage each member of staff and representatives to live out Tearfund's *Community Values* and *Quality Standards*.

Christian staff should aim to maintain a close personal walk with God and are strongly encouraged to participate wholeheartedly in the life of a local church wherever possible. Christian staff are expected to reflect the centrality of God in their work through a commitment to spiritual practices such as prayer, reading the Bible and reflecting theologically on our work. They are also encouraged to participate in regular devotions with colleagues as well as conduct themselves in accordance with Tearfund Canada's *Statement of Faith and Community Values*.

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2.2 Personal conduct standards that require sensitivity

Together with the expectation of living out Tearfund's *Community Values* (see Annex), staff members and representatives are also asked to be sensitive to differences in the cultural and faith norms of partners in the countries in which they work and travel.

- **Cultural considerations** - all staff or representatives working away from their home environment should be mindful of the local practices and norms of the church and the wider national culture in which they work when interacting in relationship with others. They should adapt their behaviour and even sacrifice certain ways of behaving in favour of the prevailing culture, even if their own culture allows such freedom. Here are a few examples (although not exhaustive list):
 - Dress code - standards of modesty regarding dress vary from country to country and are therefore subject to local guidelines. All staff and representatives are expected to dress appropriately having regard to the culture of the country and the type of work they undertake.
 - Alcohol - all staff and representatives are expected to be sensitive to when and where alcohol is consumed. Staff should refrain from possession and consumption of alcohol where strong common practice or law dictates. Consumption of alcohol is unacceptable in some church settings (e.g. in parts of Africa) and staff should be respectful of this to avoid damaging Tearfund's relationship with local churches and local partners.
 - Smoking - all staff and representatives should be respectful towards colleagues, other staff, local partners and Christian or other religious communities with which they work, and show sensitivity to when and where to smoke, especially when common practice and law dictates. Staff should not smoke in any Tearfund buildings or vehicles in any location.
 - Expressions of affection – all staff and representatives should be sensitive to cultural expressions of affection either verbal or physical (for example, arm around the shoulder, embrace, kiss on the cheek, touching the arm) that may make recipient uncomfortable or which are inappropriate in public. Clearly the expression may be welcomed by recipient and may be culturally 'normal'. However, good judgement is needed to avoid the risk of this well intended action being construed as inappropriate or even sexual harassment (see section 2.3 below).
 - General - all staff and representatives are expected to be sensitive to appropriate and inappropriate foods, show respect for individual prayer routines, be aware of different cultural eating habits, use discretion in their reading material, sharing of magazines, music, films and use of social media.
- **Relationships** – staff and representatives should conduct themselves appropriately in line with Tearfund's Christian ethos and values.
 - Sexual conduct - A staff member or representative's sexual conduct becomes a concern for Tearfund if it is likely to damage Tearfund's reputation in any way or makes it difficult for them to perform their duties effectively.

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- Personal relationships between staff members, and in particular between employees who have a direct or indirect work reporting relationship - it is important that individuals exercise discretion and good conscience at all times when it comes to behaviour and action. Line managers will have appropriate conversations to determine whether there is any impact on the organisation: a potential for a conflict of interest and/or any negative impact on effectiveness, colleague and business relationships, or on the workplace in general. We expect staff members to disclose the relationship to their line manager so that any impact on the organisation can be managed.
- **Use of social media** - staff and representatives are actively encouraged to enjoy using social media in their own time, and to express their own views and opinions. The nature of social media is that it is public and widely available. Anything other than a direct/private message can be read by anyone.

When staff engage in social media (either at work or in their own personal time), they should approach the online world in the same way they do the physical one: by using sound judgment and common sense, by adhering at all times to Tearfund's values and by acting in accordance with Tearfund's policies and procedures.

Statements made on social media can give rise to legal liabilities for the staff member and for Tearfund. Everyone is personally responsible for the content they publish online during working and non-working hours.

Staff are therefore expected to behave positively and respectfully through use of social media. They should not breach confidentiality by disclosing internal-only or restricted information, and again, the criteria at the beginning of this personal conduct policy stands. So unacceptable behaviour could be any online activity that:

- Damages mutual trust and respect between staff and the people we work with
 - Prevents staff from performing their duties effectively
 - Places staff and those we work with at risk
 - Damages Tearfund's reputation as a distinctively Christian organisation
 - Criticises or undermines fellow colleagues or Tearfund
 - Transfers personal contact details from personal to Tearfund systems
 - Use personal data from Tearfund systems in your personal social media account.
- **Communication** - staff and representatives should be mindful of their body language and use of language and refrain from shouting, using abusive words (either verbally or in written form) and being disrespectful to authority.

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2.3 Unacceptable behaviour and gross misconduct

Some forms of behaviour are unacceptable. Any behaviour that is illegal, or seriously damages or destroys trust and confidence is likely to be treated as gross misconduct. If a staff member engages in unacceptable behaviour towards another Tearfund staff, representative, beneficiary, supporter, or member of the public, it will result in disciplinary action up to and including termination of employment. Appropriate action will be taken in respect of any unacceptable behaviour by a staff or representative of Tearfund:

- **Aggressive behaviour** – physically, verbally or in writing.
- **Bullying or harassing behaviour** - for the purpose of this policy:
 - 'Bullying' is characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, 'be-little' or injure the individual. This may take the form of physical, verbal or emotional behaviour. It is a deliberate action of hostility towards the individual.
 - 'Harassment' is defined as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

In situations where bullying or harassment is alleged, it is important to consider the way that duties are being carried out: there is a distinction between firm but fair management practice and a manager using a style that is perceived as bullying. Some aspects of management e.g. allocating work, managing change, managing performance or conduct may be difficult for a staff member but do not in themselves amount to bullying.

- **Sexual harassment**-staff and representatives must not make unwelcome sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature that could create a hostile or offensive work environment. This recognises that both men and women may be harassers or victims of sexual harassment.

Under no circumstances should a member of staff or representative travelling on Tearfund business sleep in the same room as a member of the opposite sex unless they are a married couple. This also applies to circumstances where Tearfund staff or representatives are travelling with partner staff or employees of other agencies. Staff and representatives should also use their judgement to decide if it is appropriate (whether on grounds of faith or cultural sensitivities or security reasons) to, for example, share bathrooms; stay in adjoining bedrooms with connecting doors; or be the only two people staying in an apartment even with separate bed/bathrooms. There may be other similar examples not listed above where staff and representatives will need to exercise good judgement.

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- **Discrimination** - staff or representatives must not discriminate unlawfully on the grounds of any 'protected characteristic', namely: age, disability, sex, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief.
- **Showing favouritism** - for example, showing an improper preference or allowing inappropriate factors to influence decisions regarding dealings with others, including suppliers, vendors, contractors and employees.
- **Hiring relatives, friends, or members of one's ethnic group** to the exclusion of other qualified persons and/or without following established Tearfund policies and processes. Tearfund's recruitment requires only unbiased and merit-based appointments.
- **Disrespectful conduct:** rude, impolite, discourteous, inappropriate and unprofessional behaviour that displays a lack of regard for others.
- **Possession of dangerous or unauthorized materials** such as explosives or firearms in workplace.
- **Absence without notice** - staff members who are absent from work due to sickness are required to follow Tearfund staff policy. When a staff member does not notify or certify any absence as required, then their absence may, depending on the circumstances, be considered unauthorised. Unauthorised absence will be dealt with in accordance with Tearfund staff policy.
- **Unauthorised / inappropriate use of Tearfund resources** - including but not limited to email or postal mail system and Tearfund letterhead stationery, or unreasonable personal use of phones, internet, or other Tearfund equipment.

The following behaviours constitute gross misconduct, which if substantiated, will normally lead to dismissal or possible prosecution if the action is illegal. The following is not an exhaustive list:

- **Unlawful, dishonest or violent behaviour**
- **Breach of safety and security procedures** - staff and representatives must not breach, ignore or compromise Tearfund *International Travel Safety Policy* and local protocols, and must always act in a way that gives utmost importance to safety and security of all staff and representatives.
- **Theft and fraud** - staff and representatives must not take or make use of any property belonging to Tearfund or another staff member/representative, without prior authorisation and approval of Tearfund and/or the other staff member/representative. Staff and representatives are not to behave or participate in any fraudulent activities and should adhere to Tearfund policy in all dealings with such matters.

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- **Falsification of records** - staff must not provide false or incorrect information, with the intention to knowingly mislead or misrepresent information for personal gain.
- **Bribery and corruption** - staff and representatives are not to give, take, receive or ask for any gifts, favours or goods that may be viewed and/or perceived as a bribe and/or participate in any way in any activities that are corrupt and not compliant with Tearfund *Anti-Corruption Policy*.
- **Wilful disobedience or negligence** - staff and representatives are expected to follow Tearfund's policies and must not ignore lawful and reasonable instructions given to them by line manager.
- **Breach of confidentiality and data security** - under no circumstances are staff or representatives to wilfully abuse or misuse Tearfund property or information. Staff and representatives in possession of confidential information should make every effort to protect it from unauthorised disclosure, loss or data breach.
- **Breach of 'Prevention of Sexual Exploitation and Abuse' (PSEA) guidelines** - As set out in our *Anti-Discrimination, Harassment and Abuse Prevention (Safeguarding) Policy*, all staff and representatives have responsibility to seek to create and maintain an environment that upholds the dignity and respect of others and provides a safe environment for those we work alongside. Tearfund considers...
 - Sexual exploitation and abuse by Tearfund staff and representatives constitute acts of gross misconduct and are therefore grounds for termination of employment
 - Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence
 - 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
 - Under no circumstances should staff or representatives enter into a sexual relationship with a beneficiary since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work
 - Where a member of staff or representative develops concerns or suspicions regarding sexual exploitation or abuse by a fellow worker or any representative, whether working for Tearfund or another humanitarian aid agency, s/he must report such concerns via Tearfund's safeguarding incident reporting or whistleblowing channels; and
 - Tearfund staff and representatives are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promote implementation of Tearfund's *Personal Code of Conduct Policy*. Managers have particular responsibilities to support and maintain this environment.

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- **Human Trafficking:** Tearfund recognises the inherent dignity and worth of all people. In light of this under no circumstances should Tearfund staff or representatives participate in or facilitate human trafficking.
 - Human trafficking takes place where one person arranges or facilitates the recruitment, transportation, transfer, harbouring or receiving of another person for the purpose of exploitation. This may take place as a result of the use of force, threat of force, or other forms of coercion.
 - Coercion includes abduction, fraud, deception, the abuse of power or the abuse of a position of vulnerability.
 - Human trafficking may involve the transportation of a person into another country but may also take place in the country a person is from.
 - Victim consent is irrelevant where any form of coercion has been used.
 - Exploitation includes, but is not limited to:
 - forced labour or services
 - bonded labour or debt bondage
 - involuntary domestic servitude
 - securing services from a child (under 18) or a vulnerable adult/adult at risk
 - forced child labour
 - coerced sex work by adults or children
 - other forms of sexual exploitation and the recruitment and use of child soldiers.
 - If a staff member knows, or should know, that as a result of their actions a person is likely to be exploited in any of the ways outlined above by another person the staff member may be participating in human trafficking.
 - Staff and representatives should take proactive steps to ensure that other parties Tearfund is working with, including staff in our local partner organizations, are not involved in any way in human trafficking. If you have any suspicions at all you should raise these in accordance with our Safeguarding or Whistleblowing Policy.
- **Pornography** - Tearfund considers that all pornography is exploitative in its very nature. It would be considered gross misconduct if pornographic, obscene, indecent or illegal content is accessed, downloaded or viewed using any Tearfund equipment.
- **Coercive proselytism** - staff and representatives must not use any form of coercion in sharing of their faith, and must not speak or act inappropriately to the context. Tearfund rejects the use of coercion of any sort in the process of conversion or in keeping people as adherents of particular faith. We affirm the principle of freedom of religion and tolerance of differences of belief.
- **Drunkenness** - staff and representatives are expected to be cautious in their consumption of alcohol and are not to abuse alcohol. Under no circumstances should staff drink and drive, or be drunk while on Tearfund business. Displays of drunkenness outside of work may be damaging to Tearfund's reputation and therefore will be considered misconduct.

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- **Possession / use of illegal drugs** - under no circumstances should staff or representatives have in their possession or use any form of illegal hallucinogenic or other narcotic substances.

3.0 How will Tearfund respond to personal misconduct?

All staff will be given access to Tearfund's Staff Policies/Procedures at the start of their employment. Staff should read the Staff Policies/Procedures and be aware that if, at any time their personal conduct does not meet the minimum standards and expectations as set out in the Staff Policies/Procedures, they may be subject to discipline for misconduct, up to and including termination for serious misconduct. All staff and representatives will be given relevant policies and asked to confirm their adherence to them.

Where managers have concerns relating to the implementation of this policy, they must discuss the matter with the CEO before taking any action.

Tearfund Canada will act to protect staff, representatives, and beneficiaries from abusive, harmful, or inappropriate conduct and will take prompt, fair and proportionate disciplinary action whenever and wherever wrongdoing is found amongst its staff and representatives.

What should staff or representatives do in the event that they are convicted of a criminal offence while employed or representing Tearfund?

We are a Christian charity working in a sector where transparency is paramount. Tearfund requests that in the event that a staff member or representative is convicted of a criminal offence in relation to safeguarding, or an offence relevant to their role and work which might damage Tearfund's reputation, they declare the conviction to their manager who will confidentially notify the CEO for review.

For any matter raised above, if you are not comfortable speaking to your manager or do not feel your issue has been properly addressed; you may contact the CEO; Board Chair, or other Tearfund Board Member. If you do not believe that these channels of communication can/should be used to express concerns openly and directly, you may contact any of these anonymously.

Those who report illegal or improper activity will be protected. Efforts will be made to treat a report of unethical or illegal conduct as confidential, consistent with the need to investigate and prevent or correct the action. The individual making the report will not be discharged, threatened, harassed, or discriminated against for reporting in good faith what they perceive to be wrongdoing, violations of law, or unethical conduct.

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Annex: Community Values

Revised September 2020

We at Tearfund Canada make a commitment to each other before God to live our lives and to work in a manner worthy of the calling we have received from Jesus Christ in Scripture so that we, working together in community, may fulfil God's purposes for Tearfund Canada's ministry.

We desire to see that all people are freed from poverty, living transformed lives, and reaching their God given potential. We believe that the church has a key role in long-term transformation of individuals, families, communities and nations. Therefore:

We strive to:

- Continually develop our spiritual relationship with the Triune God (Father, Son, and Holy Spirit) through spiritual disciplines and practices and by actively sharing in the life of a local church, with the goal of seeing ever-deepening evidence of the fruit of the Spirit in our lives.
- Treat all people with respect and dignity, recognizing that everyone is made in the image of God.
- Respect ourselves as God's temple by avoiding the use of any substance or engagement in any activity to the extent that it impairs our judgment or harms either our wellbeing or our relationship with God and our relationships with other people.
- Commit to careful discernment, integrity, and godly discretion in such areas as entertainment, media, social networking, electronic communication, or other technology.
- Commit to careful discernment and godly discretion, and when necessary abstain from the use of controversial substances while representing Tearfund, out of respect for the diverse views on their use held by our denominational and international partners.
- Be responsible citizens, both locally and globally, who respect authorities and local laws, and contribute to the welfare of creation and society.
- Honour Christian marriage by reserving sexual intimacy for marriage between two people of the opposite sex.
- Protect the integrity of Tearfund Canada's reputation and refrain from promoting views that are contrary to the Tearfund Statement of Faith and this Community Commitment.
- With Christian love and concern for each other's welfare, support one another in upholding these Community Commitments including those working to return to good standing under its commitments.