



CODE OF CONDUCT

1. INTRODUCTION

Caritas Germany is a member of the confederation of Catholic humanitarian relief organizations Caritas Internationalis, dedicated to ending poverty, promoting justice and restoring dignity. We save lives, relieve suffering and help rebuild livelihoods and communities in the long-term. As a Catholic organization working in humanitarian aid and development, our work is rooted in Christian values as set forth by the Confederation in our joint Code of Ethics¹ and Code of Conduct². In the spirit of the values and ethics set forth in these Codes as well as in the **basic Church regulations** regarding employment³, Caritas Germany has endorsed the Code of Conduct outlined below.

All Caritas Germany staff represents the organization through their work and life: it is therefore essential that they demonstrate their support and commitment to Caritas Germany's values and principles, and respect Caritas Germany's nature as a Catholic organization in the conduct of their work.

Caritas Germany expects its staff to comply with all applicable laws, policies, rules, and regulations that govern its operations, to maintain the highest standards of honesty and integrity as well as to respect the rights and dignity of all.

¹ http://www.caritas-international.de/cms/contents/caritas-internationala/medien/dokumente/code-of-ethics-fuer/code_of_ethics_fuer_partnerorganisationen.pdf?d=a

² http://www.caritas-international.de/cms/contents/caritas-internationala/medien/dokumente/code-of-ethics-fuer/code_of_ethics_fuer_partnerorganisationen.pdf?d=a

³ Grundordnung des kirchlichen Dienstes im Rahmen kirchlicher Arbeitsverhältnisse / Basic order for employment in the context of the Catholic Church in Germany

The Code of Conduct outlined below is designed for the guidance of all persons working with Caritas Germany by setting out what is considered acceptable professional and ethical behavior. By accepting their appointment, all staff agrees to perform their duties in line with the requirements of this Code.

2. THE SCOPE OF THE CODE

This Code of Conduct covers all national, international, full and part time staff, as well as interns, volunteers and consultants working with Caritas Germany, International Department, irrespective of their contractual relationship (employees of the German Caritas Association, temporary consultants / special staff of AGEH, freelancers or volunteers). For the purpose of this document they are all referred to as “staff”. It applies wherever Caritas Germany works, in the project countries as well as in Germany.

Cases in which conditions relating to locally employed staff are not in line with this code must be discussed with the responsible head of department. Where deviations may be necessary, the approval of headquarter must be sought.

3. IMPLEMENTATION OF THE CODE

The Code of Conduct (CoC) is given to all staff before they begin their assignment. Each member of staff is required to read the CoC and sign an acknowledgement of their intent to comply with the Code.

The Code is designed to act as a guideline, but does not cover every possible situation the staff may face. Any situation in which staff members may be in doubt about issues covered under the Code ought to be discussed with the program officer or head of department.

Violations of this Code may have serious implications for Caritas Germany as an organization as well as for the staff concerned. Violations may result in disciplinary action, dismissal, and claims for compensatory damages. In cases where local law has been breached, Caritas Germany may report infractions to local authorities, and/or take civil legal action against the staff.

4. UPHOLDING PROFESSIONAL ETHICS, NEUTRALITY AND IMPARTIALITY

As a humanitarian and development NGO, Caritas Germany and its staff are committed to principled, accountable, and high quality humanitarian action according to the *Core Humanitarian Standard on Quality and Accountability*.⁴

⁴ www.corehumanitarianstandard.org

Caritas Germany expects its staff to work in an ethical manner from a position of neutrality and impartiality, and not to practice any discrimination.

5. AVOIDING CONFLICTS OF INTEREST

A conflict of interest is a situation in which a person must choose between their work duties and their private interests. Avoiding conflicts of interest is an overarching principle of fighting against corruption. Conflicts of interest can occur in the context of Caritas Germany's work, and how they are identified and managed is important. Conflicts of interest may arise in the course of humanitarian and development work when, for example, decisions are made in the selection of staff, suppliers, service providers, and partner organizations. They can also arise when decisions are made regarding the locations where Caritas Germany will operate, if the staff members making these decisions have connections to potential beneficiary locations or groups. This may especially be the case when staff and/or their family members hold business interests in a supplier or service provider that Caritas Germany intends to do business with, when persons related to Caritas Germany staff are considered for employment, or when staff members are affiliated with another organization. Family in this context is generally to be understood as including first-degree relatives such as parents, children, spouses, siblings, or other close dependents. This definition of family may need to be adjusted according to local context.

- **Caritas Germany staff are not permitted to authorize contracts or participate in selection or decision-making processes when there is a family or private business relationship that could lead to a conflict of interest.**
- **Staff must give notice to their superior as soon as they find themselves in a situation involving a potential conflict of interest.**
- **Caritas Germany expects all staff to raise any potential conflicts of interest they may perceive which have not already been disclosed by the parties involved.**

If staff members fail to disclose a conflict of interest, disciplinary processes may be invoked.

6. GIVING AND ACCEPTING GIFTS

Caritas Germany is bound to the economic use of funds. To safeguard independence and impartiality, Caritas Germany as a rule does not offer or accept any gifts, including invitations for entertainment or travel. Exceptions from this rule may only be made in the context of local culture and necessity (up to a maximum value of 25 Euros). The giving and acceptance of gifts shall under no circumstances lead to further obligations for Caritas Germany.

- **Caritas Germany expects its staff to report and pass on to the organization any gifts valued over 25 € that they may accept under extraordinary circumstances**

7. PREVENTING FRAUD AND CORRUPTION

Corruption threatens good governance, sustainable development, democratic processes, and fair business practices. Fighting corruption helps to build civil society and eliminate social injustice. Corruption can be defined as “the misuse of entrusted power for private gain”. Corruption can take the form of bribery, fraud, embezzlement, and extortion. It has many faces, such as accepting or providing money, goods, or services in order to gain advantages, which may include favorable treatment, special protection, or extra services. Corruption is not exclusively a matter of money. In certain circumstances, providing a person with a job, services, or other favors can also be considered as corruption.

Caritas Germany has issued a set of guidelines for finance, administration, logistics, personnel, and partner projects to assure the proper management of accounts, funds, assets, and relief goods, and to prevent fraud and corruption.

Caritas Germany is committed to ensuring that all the resources it receives are used fully for the benefit of those for whom they are intended. Fraud and corruption are harmful to the fulfilment of our goals, and are not tolerated by Caritas Germany. The risk of corruption needs to be included in all risk assessments, and preventive measures have to be planned accordingly.

- Caritas Germany expects its staff not to use any power or professional status they derive from their work with Caritas Germany for their own profit or gain.
- The staff is expected to handle the engagement of local staff, procurement of goods, delivery of relief items, and provision of access to relief or development services in humanitarian aid or development work with due care, in a transparent manner, and in avoidance of any conflict of interest. This should also encompass a respectful attitude with regard to the rights of those entitled to our services.
- Fraud and embezzlement are illegal, and no member of staff may use these methods to gain a personal or professional advantage.
- It is the responsibility of Caritas Germany’s management and staff to create a culture of value, trust and fairness, and to actively oppose and prevent corruption.
- It is the responsibility of Caritas Germany’s management, staff, partners and stakeholders to report any suspicion of fraud or corruption through the established whistleblowing system.

8. PREVENTING SEXUAL EXPLOITATION AND ABUSE

According to the Core Humanitarian Standard, sexual abuse and exploitation occurs when ‘an individual or a group takes advantage of an imbalance of power to coerce, manipulate or de-

ceive another person into an act of sexual nature or of sexual intent in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.’⁵

Caritas Germany commits itself through the Core Humanitarian Standard and the German Bishops Conference document to the Protection from Sexual Abuse and Exploitation (PSEA). Caritas Germany refers to the IASC6 Six Core Principles of Protection⁷

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”

Via Caritas Internationalis, Caritas Germany is part of the 2018 ICVA commitment and Motion to Action on Prevention of Sexual Abuse and Exploitation and Sexual Harassment⁸

⁵ See the definitions in the <https://www.chsalliance.org/what-we-do/psea/psea-handbook>

⁶ Inter-Agency Standing Committee: Alliance of the big humanitarian organizations operating on an international level, such as UN, the Red Cross and others; Caritas Internationalis is also a member.

⁷ <https://interagencystandingcommittee.org/product-categories/protection-sexual-abuse-and-exploitation>

⁸ <https://www.icvanetwork.org/resources/commitment-and-motion-action-psea-and-sexual-harassment>

9. USE AND PROTECTION OF CARITAS GERMANY'S ASSETS AND BRAND

Caritas Germany provides assets including vehicles, computers, mobile phones, equipment in offices and team accommodations, as well as items bearing the Caritas Germany logo such as staff clothing, for the use of Caritas Germany staff in the fulfilment of Caritas Germany's mission. Accordingly, the corresponding guidelines on safety and security must be followed:

- Caritas Germany expects staff to handle all assets with due care, in a manner that ensures no harm is done to Caritas Germany's reputation, and to return all items received to the organization at the end of his/her assignment.
- Caritas Germany vehicles may only be used for authorized purposes and driven by authorized staff.

10. USE AND PROTECTION OF CARITAS GERMANY'S DATA AND KNOWLEDGE

Over the years, Caritas Germany has established a significant base of expertise and intellectual property. Caritas Germany provides its staff access to this knowledge, through the organization's paper and electronic documents and communication systems. Staff members are obliged to protect all Caritas Germany data, to practice confidentiality, especially of personal and beneficiary data, and to follow the ICT and data guidelines in force.

- Staff members are expected to secure access to Caritas Germany information and accounting systems, and to protect all data relevant to Caritas Germany's work.
- Staff may not use Caritas Germany's intellectual property outside of their work, during employment or after the termination of their employment with Caritas Germany.
- Data, especially personal and beneficiary data, have to be treated as confidential and may not be used for purposes other than those officially authorized by Caritas Germany.

11. WEAPONS

In some countries, Caritas Germany works in areas of armed conflict and instability. The presence of weapons or armed persons may severely affect the safety of Caritas Germany's operations. In general, Caritas Germany follows a strict acceptance strategy and hence:

- Caritas Germany prohibits weapons in any building owned or operated by Caritas Germany, including team accommodations. In exceptional circumstances the use of armed guards is allowed, but has to be authorized before by Caritas Germany headquarter.
- Caritas Germany prohibits the carrying of weapons on or in the organization's vehicles. Armed civilians and military personnel are not permitted on or in the organization's ve-

hicles unless they threaten violence upon refusal to be carried by Caritas Germany vehicles.

12. ALCOHOL AND DRUGS

To ensure the safety and security of staff, and to prevent damage to Caritas Germany's property and reputation, the rules of the addiction work agreement have to be applied. Caritas Germany's offices are non-smoking areas; consumption of drugs is not permitted. A limited consumption of alcohol may be permitted by the person responsible for the location on the occasion of celebrations.

- Caritas Germany staff are not permitted to work or drive while under the influence of any narcotic substances, legal or illegal, that affect their ability to perform their duties, nor to bring any such substances to any of Caritas Germany's rooms.

Working under the influence of alcohol or drugs is gross misconduct, and staff found to be under the influence of alcohol or drugs during work periods will be dealt with in accordance with disciplinary procedures.

13. PUBLIC AND MEDIA RELATIONS, AND THE USE OF SOCIAL NETWORKS

- All media communication ought to be undertaken in a responsible, respectful and transparent manner.
- For any communication dealing with the international commitment of Caritas Germany, staff members are obliged to conduct all contact with the media through the communications departments of the International Department of Caritas Germany.
- Caritas Germany's media communication submits to the codes of the German Press Council (Deutscher Presserat), The German Central Institute for Social issues (Deutsches Zentralinstitut für soziale Fragen, DZI) and of the Association of German Development Non-Governmental Organizations (Verband Entwicklungspolitik deutscher Nichtregierungsorganisationen, VENRO).
- When using social media, Caritas Germany staff is expected to follow the Social Media Guidelines. This includes the respecting of other people's private sphere, their dignity and of confidential data which are not to be published. Caritas Germany's Social Media Guidelines explicitly encourage a public dialogue in order to render aid more efficiently, to network, to provide input into social debates and encourage the building of a community committed to Caritas's ideals and positions.

These guidelines were implemented because the boundaries between private and public as well as between personal and official business are blurred. Whether Facebook, twitter, google+, YouTube, Instagram, Snapchat, Flickr or blogs: every interactive platform on which content can be shared, commented and distributed in edited form entails widely discussed gaps and risks regarding data security. Particularly in crisis-stricken countries, even statements which seem harmless can directly impair the safety of the author as well as that of local partners or beneficiaries. There is practically no secure or private communication in social media. This means: “Don’t say anything online that you wouldn’t be comfortable seeing quoted on CNN, being asked about by your mother or having to justify to your boss.” (from IFRC - International Federation of Red Cross and Red Crescent Societies Guidelines).

This *Code of Conduct* has been issued by the Board of Directors of Caritas Germany in November 2018 and takes effect in January 2019.