How-to note

How to develop or update your code of conduct

This how-to note is a summary of the **CHS Alliance Code of Conduct Toolkit**

What is a code of conduct?

- A Code of Conduct (often shortened to CoC) is a formal document that establishes behavioural standards that all individuals in, or associated with, an organisation are required to uphold. It should reflect an organisation's vision, core values and culture.
- A CoC is usually supported by disciplinary procedures that will be initiated when a staff member or representative has behaved in an unacceptable way.
- A CoC is typically more compliance-focused and directive.

Why do you need a code of conduct?

- **For internal stakeholders:** A CoC can help put organisational moral and ethical values into practice. A CoC outlines required behaviours that can help prevent, strengthen reporting of and response to sexual exploitation, abuse and sexual harassment (SEAH) and other harms and abuses.
- **For external stakeholders:** It is an external statement that demonstrates the organisation's commitment to high ethical standards and behaviour and how and when to report the cases when these standards are not met.
- A CoC can help position organisations for funding opportunities while mitigating risks including safeguarding risks, reputational damage, financial risks, and legal breaches.

Who does a code of conduct apply to?

- **Direct representatives:** Individuals who are directly engaged or employed by your organisation, e.g. staff, consultants, contractors, interns, volunteers, and suppliers.
- **Indirect representatives:** Individuals who are not directly engaged or employed by your organisation e.g. implementing partner staff or visitors.
- Both stakeholder groups will be required to sign the CoC. However, disciplinary, penalties or sanctions can only be taken against individuals who an organisation directly employs/engages.

The 5 steps to developing a code of conduct

1. **Plan:** CoC assessment; determine aims and objectives; create a plan
2. **Consult:** Consult relevant stakeholders; gather data
3. **Create, review and edit**: Decide what to include in the CoC; refer to content guideline; draft; review
4. **Approval and implementation:** Board approval; roll out / implement
5. **Evaluate and enforce:** Monitor the roll out / implementation; evaluate and adapt

The 5-step approach to developing a code of conduct

1. Plan the work

- From the start, management or the board are required to provide direction on the CoC content.
- Some priorities may include: inspiring the workforce, gender equality, respect for human rights and non-discrimination.
- Clear guidelines for the expected behaviour of all direct and indirect representatives should be agreed by the relevant decision-makers e.g. Board of Directors or governing body.
- Consider the resources (time, staff, technical, financial) that may be required for the process.
- Identify the risk factors (economic, political, legal, socio-cultural) that could impact the organisation's ability to uphold the standards in the CoC.
- An effective CoC finds the right balance between being **values-driven** and **compliance-focused**. Prioritise what is important to the organisation and what is most feasible to achieve where you work.

> **Balance values and compliance**
>
> **Values-driven CoC:** Prioritises the core organisational values such as those derived from religion, social, and culture above funding or legal requirements.
>
> **Compliance-focused CoC:** Prioritises legal obligations and requirements and specified by funding agencies or bodies.

- Appoint a project manager or an external consultant to lead the process. This person will lead the below core activities:
  - assess the organisation's readiness for the CoC development or review process;
  - carry out a scoping exercise to determine what's included and what's not included in the CoC development project;
  - develop the action plan for the CoC which should incorporate the planning, consultation creation and review, implementation, monitoring and evaluation steps of writing the CoC.

For more details, see annex 1 and 3 and page 9 of the **toolkit**.

2. Consult

- Consult with internal and external stakeholders.
- Develop a stakeholder engagement plan to explore different levels of engagement.

For more details, see annex 3 and 4 and page 9 of the **toolkit**.

- Gather information through surveys, questionnaires, focus group discussions, key informant interviews, review of past safeguarding cases, exit interviews, and other HR reviews.
- Ensure that the process is participatory and includes input from the most marginalised groups.

Mother-tongue and major language

When explaining SEAH and abuse concepts, it is important to first know what the local language terminology is to avoid using words that are not understood or considered a taboo. Primary language refers to the mother-tongue. E.g. Due to the diversity of Nigerian languages (over 500 dialects) a major language in a state or community may not necessarily be the mother-tongue or primary language that is spoken by all participants in a consultation

3. Create, review, and edit the draft

- Draft the CoC once the data collection and analysis is complete.
- Align the CoC with other organisational policies, e.g. Safeguarding Policy and Staff Handbook.
- The CoC should be written in clear and easy to understand language for those it is intended for. At this stage, you can test the terminology and definitions used with different stakeholders.
- Avoid technical jargon, use of abbreviations or terminologies that have not been defined or are neither understood nor accepted by the stakeholders, especially programme participants.
- Ask internal representatives from different teams/departments as well as external representatives (e.g. employment lawyer and a qualified HR expert) to review the CoC before it is submitted for approval.

What to consider when developing abridged versions of a CoC

- Different language versions and easy-read or visual versions for people with different disabilities.
- Contextually relevant and inclusive pictorial versions for people with low literacy skills.
- Child-friendly pictorial and simplified language versions for children and young adults.

4. Obtain approval and implement

Obtain approval

- Send the final CoC to the Board of Directors and update and finalise based on any feedback.
- If required, translate the CoC into local languages.
- Design the approved version of the CoC in line with the organisation's brand guidelines.
- Publish and disseminate to all those who are directly engaged by the organisation.
- A summary (or abridged) version of the CoC should be developed for individuals who are indirectly engaged by the organisation as well as for staff with low literacy skills, e.g. volunteers.
- Where an organisation engages children in its activities, create a child/youth-friendly version.

Dissemination and implementation

- A new (or revised) CoC can be disseminated in many creative ways e.g. a launch event, an activity or commemoration event such as Labour Day, 16 Days of Activism etc.
- Develop information, education and communication (IEC) materials, such as posters or banners, that reflect acceptable and unacceptable behaviours expected from staff. Disseminate widely.
- Organise a series of trainings (virtual or offline) for staff and affiliates of the organisation.
- Develop indicators for tracking the level of implementation, e.g.:

  - Percentage of CoC commitment forms signed by staff and representatives
  - Training completion rates (pre and post-test analysis)
  - Number of platforms used in circulating the CoC

5. Monitor, evaluate and enforce

Monitoring and evaluation

- Assign one person to oversee compliance with the CoC and report to senior leadership on this.
- Regularly assess the levels of compliance and effectiveness of enforcement mechanisms and present analysis to the Board of Directors.
- Evaluation can be part of regular safeguarding reviews, audits, or assessment processes.
- Monitoring the implementation of planned outputs and activities will assist you to track, identify and address emerging challenges.
- The CoC should be formally reviewed at least every 2 to 3 years to ensure that it remains relevant to your organisation's needs, risks, trends, and opportunities.

Enforcing the CoC

The CoC will require strong leadership, commitment and support. This may include:

- Being flexible enough to make necessary adaptations where certain aspects of the CoC are not easily understood by the stakeholders.
- Responding quickly and consistently to all potential breaches of the CoC.
- Documenting proven allegations of CoC breach with disciplinary action taken.

What if you already have a CoC?

Consider updating your CoC if it:

- does not reflect the values or mission of the organisation especially after a major change in the organisational leadership or strategic priorities
- has become obsolete due to changing sector trends and donor, or legal requirements
- has not been reviewed or updated within the last two years

A few tips to consider when updating a CoC:

- The updated version should address new social trends or issues, e.g. online safety.
- Repeat step 4 (obtain approval and implement) and step 5 (evaluate and enforce).
- Use the lessons learned from the previous CoC to mitigate risks and clarify sections that generated questions from stakeholders.

What do you need to include in a CoC?

There is no standard content. Consider the needs, issues and context of your organisation and the behaviours required from your people and organisational culture. Contents could include:

- A statement of senior leadership support
- Definitions with examples
- Purpose of the CoC
- Policy owner, date of publication, review date
- Information and resources

Code provisions:

- Required and unacceptable behaviours
- Internal practices
- External practices
- Consequences when breached

CHS Alliance

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CHS Alliance members work to strengthen accountability and to put people affected by crisis at the heart of what they do by implementing the **Core Humanitarian Standard (CHS).**