



CODE OF CONDUCT

MOJAZ Foundation

MOJAZ Foundation Code of Conduct describes the standards of behavior expected of all staff and anybody engaged by MOJAZ Foundation, and seeks to promote good practice.

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The MOJAZ Foundation Code of Conduct

A Code of Conduct is considered a key tool for the prevention of harassment, exploitation, abuse and inappropriate behavior by staff. The MOJAZ Foundation Code of Conduct describes the standards of behavior expected of all staff and anybody engaged by MOJAZ Foundation, and seeks to promote good practice.

All MOJAZ Foundation staff, and all people associated with MOJAZ Foundation programmes must be given a copy of MOJAZ Foundation Code of Conduct in a language that they can understand, and an explanation of the content of document. They must confirm that they have read it, understood its content, and that they agree to conduct themselves in accordance with it.

It is the responsibility of all MOJAZ Foundation staff to adhere to MOJAZ Foundation Code of Conduct.

Introduction

MOJAZ Foundation, as a non-governmental organization involved in the uplift of vulnerable and underserved segment of the society, seeks to implement successful development and humanitarian assistance programmes through its commitment to good practice and the quality of work of its staff.

MOJAZ Foundation staff frequently work in situations where they are in positions of power and trust (in relation to beneficiaries, other organisations and one another). This power and trust must not be abused.

All MOJAZ Foundation staff have a responsibility to the organisation to strive for and maintain the highest standards in the day-to-day conduct of their work. Any form of exploitation or abuse of power is incompatible with MOJAZ Foundation's fundamental belief in the human dignity of all people, and with the organization's core values.

The aim of the MOJAZ Foundation Code of Conduct is to provide clear guidance on the standards of behavior the organisation requires all staff, anyone working on behalf of MOJAZ Foundation and any partner organisation to abide by, as well as providing examples of conduct that will be considered unacceptable. The Code is designed to guide and protect all staff and programme participants.¹ Any breach of this Code may result in disciplinary action up to and including dismissal.

The code is written to reflect the organization's core values and commitment to ensuring that staff always acts in the best interest of all programme participants.

This Code applies to all people engaged by MOJAZ Foundation, regardless of location, full or part time, consultants, interns, contractors or volunteers, and should be adhered to at all times.

All visitors to MOJAZ Foundation's programmes must - during their visit – consider themselves to

¹ Programme participant' refers to any individual associated with MOJAZ Foundation's programmes and includes: i) beneficiaries of programmes delivered by MOJAZ Foundation; ii) people employed or engaged by MOJAZ Foundation, full or part time, consultants, interns, contractors or volunteers and any person actively involved in the MOJAZ Foundation programme; iii) MOJAZ Foundation's partner organisations, their staff and anyone working on their behalf.

be under the authority of MOJAZ Foundation CEO and must adhere to the MOJAZ Foundation Code of Conduct.

Standards of Conduct

As a staff member of MOJAZ Foundation **I commit myself to:**

1. Be responsible for the use of information, assets and resources to which I have access by reason of my employment with MOJAZ Foundation.

1. I will ensure that I use MOJAZ Foundation assets and resources entrusted to me in a responsible manner and account for all money and property, following the appropriate policy and procedural requirements.
2. I will not use the organization's computer equipment or other technology or equipment or services in contravention of MOJAZ Foundation's IT Regulations to engage in any activity that is illegal under local, state, or international law or that encourages conduct that would constitute a criminal offence. This includes any material that victimises, harasses, degrades, or intimidates an individual or a group of individuals on the basis of gender, race, religion, sexual orientation, age, disability or ethnicity or other personal characteristic.
3. I will not use MOJAZ Foundation's computer equipment or other technology or equipment to view, download, create, distribute, or save in any format inappropriate material, including but not limited to adult or child pornography.
4. I will use all project goods and services, including those provided by/property of a third party, in an appropriate manner.
5. I will not release to others any private or confidential information relating to MOJAZ Foundation (or for which MOJAZ Foundation is responsible) unless legally required to do so.

2. Be responsible for my own health, safety and welfare, and of those of the staff I manage.

1. I will adhere to all organisational health and safety regulations and procedures in force in my work place.
2. I will comply with any local security guidelines and in a manner consistent with MOJAZ Foundation's Security Policy.
3. I will behave in ways that avoid creating unnecessary risk to the safety, health and welfare of myself or others (including partner organisations and beneficiaries).

3. Ensure that my personal and professional conduct is, and is seen to be, of the highest standard and in keeping with MOJAZ Foundation's beliefs, values and mission.

1. I will treat all people with respect and dignity. I will not discriminate, show differential treatment to, or favor particular individuals to the exclusion of others.
2. I will, in our programmes, promote the well-being and development of children and will not engage in behavior that is likely to cause harm, including physical, sexual, emotional abuse and neglect.
3. I will observe all local laws and behave in a culturally sensitive manner.
4. I will not work under the influence of alcohol or drugs (with the exception of prescribed drugs for health reasons) or illegal substances that affect my ability to perform my duties.
5. I will not use, distribute, sell or be in possession of illegal substances on MOJAZ Foundation premises, whilst on MOJAZ Foundation business or whilst using MOJAZ Foundation vehicles.

6. I will ensure that my behavior both during and outside of work does not bring MOJAZ Foundation into disrepute and does not impact on or undermine my ability to undertake the role for which I am employed.
7. I will not abuse my position as a MOJAZ Foundation staff member for personal gain by requesting, soliciting or accepting any payment, gift, service or favor (including sexual favors) from others, whether for my own personal benefit or for another person, in return for MOJAZ Foundation support, goods or services.
8. I will not enter into commercial sexual transactions at any time².

4. Perform my duties and conduct my private life in a manner that avoids possible conflicts of interest with the work or reputation of MOJAZ Foundation and my work as a staff member of the organisation.

1. I will avoid situations where my personal interests could conflict, or reasonably appear to conflict, with the interests of MOJAZ Foundation. Therefore, I will not enter into any sort of business relationship on behalf of MOJAZ Foundation with family members, friends or other personal/professional contacts for the supply of any goods or services to MOJAZ Foundation or any employment related matters without authorisation from senior management. I will declare any potential conflict of interest to my line manager.
2. I will not be involved in awarding benefits, contracts for goods/services, employment or promotion within the organisation, to any person with whom I have financial, personal, family (or close intimate relationship) interests³.
3. I will not accept bribes or gifts (except small tokens of appreciation) or any remuneration from governments, beneficiaries, partners, suppliers or other persons which have been offered to me as a result of my employment with MOJAZ Foundation. I will notify my line manager if I am offered or have received gifts of any kind, however small⁴.
4. I am aware that sexual relationships between a MOJAZ Foundation staff member and a beneficiary are likely to be based on inherently unequal power dynamics and may undermine the credibility of the organisation and its work. I know that MOJAZ Foundation considers such sexual relationships inappropriate. Should I be in or develop a sexual relationship with a beneficiary, I will inform immediately a senior manager in my programme area of the relationship in order to clarify what could otherwise become an ambiguous situation.
5. I will not undertake work or duties outside MOJAZ Foundation that negatively influence my ability to perform my function or have a negative impact on the work of MOJAZ Foundation.

² For the purpose of this Code, a ‘transaction’ is defined as any exchange of money, goods, services or favours with any person.

³ All MOJAZ Foundation staff must avoid direct responsibility for the hiring or supervision of a family member. Employment of family members is permitted as long as staff members are not reporting directly to each other.

⁴ In general gifts should not be of such value as to constitute a personal enrichment for the recipient and should not be such as to appear excessive to an objective observer. The Senior Management Team will review the list of gifts being received and indicate whether this is appropriate or not.

5. Avoid involvement in any activities that are illegal, or contravene human rights⁵, or compromise the work of MOJAZ Foundation.

1. I will not take part in or support any illegal activities.
2. I will not engage in any type of sexual relations or any sexual activity with a child. A ‘child’ is taken to be anyone under the age of 18 regardless of local custom, or the age of majority or consent locally. Sexual activity with a child is allowed only where a staff member is legally married to someone under the age of 18, but who is over the age of majority or consent in the country of citizenship of the staff member and the child.
3. I will not abuse or exploit children or adults in any way and will report any such behaviour by others to a senior manager in my programme area.
4. I will refrain from inappropriate behaviour or action that might jeopardise MOJAZ Foundation’s reputation.

6. Refrain from any form of bullying, harassment, discrimination, abuse, intimidation or exploitation.

1. I will act fairly and honestly, and treat others with dignity and respect, regardless of issues such as gender, race, religion or lack of religion, colour, national or ethnic origin, language, marital status, family status, birth, sexual orientation, age, disability, socio-economic background, caste, political conviction, HIV and AIDS status, physical appearance or lifestyle.
2. I will never engage in any humiliating, degrading or exploitative behaviour.
3. I will not use or condone language that is inappropriate, demeaning, or offensive towards others.

7. Report any incident, MOJAZ Foundation or suspicion regarding any breaches of this Code of Conduct.

1. I will bring to the attention of the relevant manager or the Human Resources manager within MOJAZ Foundation any potential incident, abuse or MOJAZ Foundation that I witness, I am made aware of, or suspect which appears to break the standards contained in this Code.
2. I will not intentionally make malicious or false accusations in relation to this Code against any programme participant.
3. I will ensure that all information about breaches of this Code is handled with the utmost discretion.

I have read carefully and understand the MOJAZ Foundation Code of Conduct and hereby agree to abide by its requirements and commit to upholding the standards of conduct required to support MOJAZ Foundation’s core values and mission.

⁵ In addition to the Universal Declaration of Human Rights, recognition should be given to the rights of women and children, as outlined in the UN Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) and the UN Convention on the Rights of the Child (CRC), with particular emphasis on the guiding principle of ‘the best interest of the child’ (Article 3): <http://www2.ohchr.org/english/law/crc.htm>.

I understand that failure to comply with any principles of the MOJAZ Foundation Code of Conduct may result in disciplinary action up to and including dismissal and, where applicable, may result in civil or criminal proceedings against me.

Name

Date.....

Signature.....

Duty Station.....

Annex 1

Terminology

Clear definitions are essential to ensure that the proper reporting of, and responses to, instances of abuse or exploitation are handled in a consistent manner. Clarifying the definitions of inappropriate behaviour with staff and other programme participants should be included in workshops and inductions around this policy and the Code of Conduct.

The following provides MOJAZ Foundation's definitions of the terminology used in this Code.

Abuse

Abuse is the wrong, improper use or treatment of something or someone causing harm, damage, offence or distress. There are several forms of abuse (such as physical abuse, verbal abuse, sexual abuse, emotional abuse), any or all of which may be perpetrated as a result of deliberate intent, negligence or ignorance.

Bullying

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but, as a once-off incident, it is not considered to be bullying. The exercise of legitimate management rights or of legitimate employee rights or responsibilities is not bullying. Interpersonal differences and conflicts may arise in the workplace for a variety of reasons including the implementation of legitimate management directives.

A pattern of the following behaviours are examples of types of bullying:

- ☐ verbal abuse or insults;
- ☐ being treated less favourably than colleagues;
- ☐ intrusion – pestering, spying or stalking;
- ☐ menacing behaviour;
- ☐ intimidation;
- ☐ excessive monitoring of work;
- ☐ humiliation;
- ☐ withholding work related information;
- ☐ repeatedly manipulating a person's job content and targets;
- ☐ blame for things beyond the person's control;
- ☐ manipulation of the victim's reputation by rumour, gossip or ridicule;
- ☐ preventing the victim from speaking by making loud voiced criticisms or obscenities;
- ☐ constant undermining, mockery or criticism that focuses on a personal characteristic;
- ☐ exclusion, or victimisation;
- ☐ aggressive behaviour towards others, including unreasonable anger or shouting;
- ☐ abuse or threats of abuse;
- ☐ persistently manipulating the nature of the work or the ability of the victim to perform the work e.g. by overloading, setting objectives with impossible deadlines, deliberately withholding work information, or setting meaningless or unachievable tasks;
- ☐ repeated criticism of work without balancing this with positive feedback where possible or

- potential solutions;
- ☐ Criticizing an individual in front of others.

Child

Like many other humanitarian organisations, MOJAZ Foundation defines a child as anyone under the age of 18 years in accordance with the UN Convention on the Rights of the Child⁶ irrespective of national law or custom regarding the age of consent or majority.

Child abuse

Child abuse and neglect, sometimes also referred to as child maltreatment, is defined as all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust, or power.

Within the broad definition of child maltreatment, five subtypes are distinguished:

Physical Abuse is actual or likely physical injury to a child, such as hitting, kicking or shaking, where there is definite knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented. (CAFOD)

Emotional abuse is harm done by persistent or severe emotional ill-treatment or rejection, such as degrading punishments, threats, bullying or not giving care and affection, resulting in adverse affects on the behaviour and emotional development of a child or young person. (CAFOD)

Neglect occurs when basic needs such as food, warmth and medical care are not met, or when there is a failure to protect a child from exposure to any kind of danger, resulting in serious impairment of a child's or young person's health or development. (CAFOD)

Sexual abuse occurs if a child or young person is pressurised or forced to take part in any kind of sexual activity, whether or not the child is aware of or consents to what is happening. Sexual abuse includes incest, rape and fondling. It may also include no contact activities such as showing a child pornography or internet based activity and viewing pornographic images of children. Sexual abuse may involve siblings or other family members, or persons outside the family. (CAFOD)

Commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development (WHO, 1999).

Discrimination

Unequal treatment of individuals or groups on the basis of personal characteristics such as disability or appearance or group characteristics such as ethnicity, religious orientation, etc. Common forms of discrimination may include, but are not limited to, making employment or programming decisions based on family status, race, membership of a minority group, gender, religion or lack of religion, colour, national or ethnic origin, language, marital status, birth, sexual orientation, age, disability, political conviction, socio-economic background, caste, HIV and AIDS status or other illnesses and physical appearance or lifestyle.

Examples of discrimination may include, but are not limited to:

- ☐ Programmes not based on proper needs assessment or situational analysis resulting in

⁶ The Convention emphasizes that States substituting an earlier age for specific purposes must do so in the context of the Convention's guiding principles of non-discrimination (Article 2), the best interests of the child (Article 3), maximum survival and development (Article 6) and participation of children (Article 12): <http://www2.ohchr.org/english/law/crc.htm>.

interventions that benefit men more than women or vice versa;

- ☐ Hiring preferences for one religion or ethnic groups over members of other denominations or groups;
- ☐ Stigmatization of or service denial to people on the basis of their HIV and AIDS status;
- ☐ Service delivery only to particular ethnic, religious, or political groups.

Exploitation

Using a position of authority, influence or control over resources, to pressure, force, coerce or manipulate someone to do something against his/her will or interest and well being. This includes threatening to withhold project assistance, threatening to make false claims about a person in public, or any other negative repercussions in the work-place or community.

Examples of exploitation include, but are not limited to:

- ☐ Offering special benefits to beneficiaries or other programme participants in exchange for expressed, implied or demanded favours (including sexual favours) or benefits, either to the staff member or to a third party
- ☐ Threats or implications that an individual's refusal or unwillingness to submit to demands will affect the person's entitlement to project assistance and support, or terms and conditions of employment.
- ☐ Children's involvement in heavy, dangerous, extended long hours or forced labour.
- ☐ Selling, buying, transporting children, women or men by means of coercion or deception for economic or other gain⁷.

Fraud

The theft or misuse of MOJAZ Foundation's funds or other resources, by a staff member or a third party, 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 MOJAZ Foundation property;
- ☐ Falsification of costs or expenses;
- ☐ Forgery or alteration of documents;
- ☐ Destruction or removal of records;
- ☐ Inappropriate personal use of MOJAZ Foundation's assets;
- ☐ Staff seeking or accepting cash, gifts or other benefits from third parties in exchange for preferment of the third parties in their dealings with MOJAZ Foundation;
- ☐ Blackmail or extortion;
- ☐ Paying of excessive prices or fees to third parties with the aim of personal gain.

Harassment⁸

Harassment is unwanted behaviour relating to personal characteristics such as race, membership of a minority group, sex, gender, religion or lack of religion, colour, national or ethnic origin, language, marital status, family status, sexual orientation, age, disability, political conviction, socio-economic background, caste, HIV and AIDS status or other illnesses and, physical appearance or

⁷ Elements of the current international law on trafficking in human beings is contained in the 2000 UN Convention against Transnational Organized Crime - also known as the Palermo Convention - and the two Palermo protocols: Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; Protocol against the Smuggling of Migrants by Land, Sea and Air.

⁸ Adapted from the Irish Employment Equality Acts 1998 to 2008

lifestyle which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Such unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Harassment also means less favourable treatment of a person because he or she has rejected or submitted to the type of conduct described above.

- ☐ Anyone can be a victim of harassment.
- ☐ Harassment may be an isolated incident or repeated actions.
- ☐ Harassment can take many forms and may involve written documents, the use of IT including email, text messaging, photographs or pictures.

Many forms of behaviour may constitute harassment, including:

- ☐ verbal harassment - jokes, comments, ridicule or songs;
- ☐ written harassment - including faxes, text messages, emails or notices;
- ☐ physical harassment – jostling, shoving or any form of assault;
- ☐ intimidatory harassment – gestures, posturing or threatening poses;
- ☐ visual displays such as posters, emblems or badges;
- ☐ isolation or exclusion from social activities;
- ☐ pressure to behave in a manner that the individual thinks is inappropriate - for example, being required to dress in a manner unsuited to a person's ethnic or religious background.

Intimidation

Intimidation is the act of willingly making someone timid, filled with fear or frightened into submission. Intimidation implies inducing fear or a sense of inferiority in another person with the intention of forcing him/her to do, or deterring him/her from doing, something by threats or inducing fear of the consequences against him/her or their family or friends. The person who is intimidated feels coerced or inhibited by the threats. Acts of intimidation can be verbal, non-verbal or physical.

Programme Participant

For the purpose of this policy, 'programme participant' refers to any individual associated with MOJAZ Foundation's programmes and includes:

- ☐ beneficiaries of programmes delivered by MOJAZ Foundation or its partners
- ☐ people employed or engaged by MOJAZ Foundation, full or part time, consultants, interns, contractors or volunteers, or any person actively involved in the MOJAZ Foundation programme
- ☐ anyone working on their behalf

Community members in general (i.e. those who are not direct or indirect beneficiaries of the programme) are not considered programme participants. However, abusive and/or inappropriate behaviour by MOJAZ Foundation staff member towards members of the community where MOJAZ Foundation or its partner are operational will result in disciplinary action being taken.

Sexual abuse

The actual or threatened physical intrusion of a sexual nature, whether by force, coercion or under unequal conditions. It includes sexual assault or sexual acts to which a person has not consented, could not consent, or was compelled to consent.

Sexual exploitation

Any actual or attempted abuse of a position of vulnerability, differential power, or trust, to pressure or demand others to provide sexual favours, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of someone else.

Sexual harassment

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. A single incident may constitute sexual harassment. Many forms of behaviour can constitute sexual harassment, including:

- ☐ physical conduct of a sexual nature. This may include unwanted contact such as unnecessary touching, patting or pinching or brushing against another employee's body, assault and coercive sexual intercourse;
- ☐ verbal conduct of a sexual nature. This may include unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments;
- ☐ non-verbal conduct of a sexual nature. This may include the display of pornographic or sexually suggestive pictures, objects, written materials, emails, text messages or faxes. It may also include leering, whistling or making sexually suggestive gestures;
- ☐ sex-based conduct. This may include conduct that denigrates or ridicules or is intimidatory or physically abusive of an employee because of his or her sex, such as derogatory or degrading abuse or insults that are gender-related.

Violence

Violence defines aggressive behaviour that may be physically, sexually or emotionally abusive. The aggressive behaviour is conducted by an individual or group against another, or others.

Visitor

Any person not contracted to work for MOJAZ Foundation, but who is visiting MOJAZ Foundation's OFFICES whether as an individual or as a representative of an institution. This includes, but is not exclusive to, consultants, journalists, donors, photographers, friends, Any such person should - during the visit – consider him/herself under the authority of MOJAZ Foundation CEO and must adhere to the MOJAZ Foundation code of conduct. The definition shall not include individuals who call to MOJAZ Foundation's offices for short meeting.