



# **CODE OF CONDUCT & ETHICS**

APRIL 2019

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**SOMALI ASSOCIATION FOR REHABILITATION AND  
DEVELOPMENT**

# Somali Association for Rehabilitation and Development

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### **Forward from the Board Chairman**

*Welcome to the Code of Conduct and Ethics Policy 2019-21.*

The Code of Conduct and Ethics outlines the principles and policies that govern the activities of Somali Association for Rehabilitation and Development (SARD), and to which our employees and others who work with us, or represent us directly or indirectly, must adhere.

All employees are required to read and follow this Code of Conduct and Ethics (the Code). The Code is reviewed at least every two years, or more frequently based on changes in the internal and/or external operating and legal environment affecting SARD.

SARD expects all of its representatives to act in accordance with the highest standards of personal and professional integrity in all aspects of their activities and to comply with applicable local and international laws, regulations and best practices, and organisation's policies and procedures.

This Code applies to all SARD representatives, including its directors, employees, temporary workers, independent contractors and consultants and should be read in conjunction with the applicable policies, procedures, laws and regulations governing all activities within SARD's operations.

Questions relating to these policies may be directed through the immediate supervisors, the human resources representative or any member of the management team.

SARD expects its stakeholders to act in full compliance with the policies set forth in this Code and in a manner consistent with the highest ethical standards.

All staff annually attest their commitment to abiding by this Code of Conduct and Ethics. The Code broadly gives guidance for professional conduct under the following 18 guiding principles.

**Signed:**

**Abdulkadir Ibrahim Haji**

**Vice Chairman,**

**Somali Association for Rehabilitation and Development (SARD)**

**Date: Effective from April 2019**

## **1. Principle 1: Honesty, integrity and fair play**

SARD and its staff are fully committed to the principle of honesty, integrity and fair play in the delivery of social services. All staff should ensure that the organisation's operations, delivery of services, procurement or staff recruitment, are dealt with in an open, fair and impartial manner.

This Code of Conduct and Ethics sets out the basic standard of conduct expected of all staff and SARD's policy on matters like acceptance of advantages and conflict of interest of staff in connection with their official duties. This Code and Ethics also applies to temporary and part-time staff employed by SARD.

## **2. Principle 2: Equal opportunity for all employees**

SARD is an equal employment opportunity employer. Employment opportunities are available regardless of race, colour, sex, religion, national origin, age, disability or other legally protected status. This principle applies to all aspects of the employment relationship, including recruiting, hiring, training, work assignment, promotion, transfer, termination, and wage and salary administration.

## **3. Principle 3: Safety, and health practices**

SARD is committed to an injury-free and illness-free workplace that is operated in an environmentally sound manner in compliance with all relevant laws and regulations that protect worker safety and the environment.

Employees should perform work in a safe manner.

## **4. Principle 4: Fair competition**

The organisation's policy will prohibit any anticompetitive practices which could effect in bounding, restraining or distorting competition, as well as any practices of an unfair competition. Accordingly, our employees cannot agree (formally or informally) with competitors to fix prices or any other conditions that shall affect the outcome of a transaction to favor a certain party unfairly.

## **5. Principle 5: Governance and anti-corruption**

The organisation has zero tolerance for corruption. All employees must never offer to provide anything of value directly or indirectly to partners to secure an undue advantage. The organisation prohibits payment, offers of payment as well as anything of value directly or indirectly with the purpose of influencing or obtaining undue organisational or personal advantage.

Third parties will only be contracted to perform tasks which aid the organisation's interests provided: fees to be paid are reasonable; all arrangements are clearly documented; arrangements are in compliance with SARD's policies.

## **6. Principle 6: Financial reporting**

All transactions of the organisation must be duly recorded so as to permit preparation of clear financial statements in conformity with the applicable financial reporting framework. No false or misleading entries may be made in the books and records of the organisation for any reason, and no employee may engage in any arrangement that results in such a prohibited act.

No payment on behalf of the organisation may be done without adequate supporting documentation or made with the intention or understanding that any part of such payment is to be used for any purpose other than as described by the documents supporting the payment.

## **7. Principle 7: Restrictive agreements with third parties**

The organisation does not condone activities that seek to gain an unfair competitive advantage. No individual may engage in any activity which violates any valid restrictive agreements entered into by that individual for the benefit of a third party, and no individual may, directly or indirectly, use or disclose any confidential information or trade secrets of a third party that the individual obtained while employed by or associated with such third party.

## **8. Principle 8: Government contracts and services**

The organisation is committed to complying with all applicable laws and regulations relating to government (in the area of public procurement) contracts and services.

## **9. Principle 9: Acceptance of advantages**

It is the policy of this organisation to prohibit all staff from soliciting or accepting any advantage from any persons having dealings with the organisation (e.g. suppliers, contractors). Employees who wish to accept any advantage from such persons should seek advice and permission from the responsible supervisor.

Any gifts offered voluntarily to the staff in their official capacity are regarded as gifts to the organisation and they should not be accepted without permission. By default, staff should decline the offer if the acceptance could be perceived as against the interest of the organisation, or lead to complaints of bias or impropriety.

## **10. Principle 10: Conflict of interest**

A conflict of interest situation arises when the “private interests” of the staff compete or conflict with the interests of the organisation. “Private interests” means both the financial and personal interests of the staff or those of their connections including: family members and other close affiliates; personal friends; the clubs and societies to which they belong; and any person to whom they owe a favour or are obligated in any way.

Staff should avoid using their official position or any information made available to them in the course of their duties to benefit themselves, their affiliates or any other persons with whom they have personal or social ties. They should avoid putting themselves in a position that may lead to an actual or perceived conflict of interest with the organisation.

Failure to avoid or declare any conflict of interest may give rise to criticism of favouritism, abuse of authority or even allegations of corruption.

In particular, staff involved in the procurement process should declare conflict of interest if they have beneficial interest in any organisation which is being considered for selection as SARD’s supplier of goods or services.

Appendix 3 provides some examples of conflict of interest situations that may be encountered by staff.

When called upon to deal with matters of the organisation for which there is an actual or perceived conflict of interest, the staff member should make a declaration in writing to the supervisor. He should then abstain from dealing with the matter in question or follow the instruction of the supervisor who may reassign the task to other staff.

## **11. Principle 11: Misuse of official position**

Staff who misuses their official position for personal gains or to favour their relatives or friends are liable to disciplinary action. Examples of misuse include a staff member responsible for the selection of suppliers giving undue favour or leaking information to his/her relative's entity with a view to giving away an undue advantage.

## **12. Principle 12: Handling of classified or proprietary information**

Staff is not allowed to disclose any classified or exclusive information to anybody without authorization. Staff who have access to or are in control of such information should at all times provide adequate safeguards to prevent its abuse or misuse. Examples of misuse include disclosure of information in return for monetary rewards, or use of information for personal interest.

## **13. Principle 13: Property of the organisation**

Staff given access to any property of the organisation should ensure that it is properly used for the purpose of conducting the organisation's business. Misappropriation of the property for personal use or resale is strictly prohibited.

#### **14. Principle 14: Outside employment**

Employees who wish to take up paid outside work, including those on a part-time basis, must seek the written (date and signed) permission and guidance from the supervisor before accepting the job. Approval will not be given if the outside work is considered to be in conflict with the interest and values of the organisation.

#### **15. Principle 15: Compliance with the code**

It is the personal responsibility of every staff member to understand and comply with the Code of Conduct and Ethics. Every member of the staff shall sign a declaration of Principle to this purpose. The human resource manager or other mandated employee will keep declarations of Principle.

Supervisors should ensure that their subordinates understand and comply with the standards and requirements stated in the Code. Any doubts of interpretation or problems encountered, as well as any suggestions for improvement, should be addressed to the supervisor for consideration and advice.

Any staff member who violates any provision of the Code will be subject to disciplinary action. In cases of suspected corruption or other criminal offences, a report will be made to the appropriate authorities.

#### **16. Principle 16: Sanctions**

The organisation can take prompt and appropriate remedial action in response to violations of the Code. Any employee who engages in conduct prohibited by the Code as determined by the supervisor will be subject to discipline action.

Once a complaint has been placed, the supervisor will initially analyse it and s/he may meet privately with the whistle blower to understand the facts surrounding the issue. Following a fact finding phase, an investigative meeting could be held with the employee alleged of the violation, to further ascertain the facts and receive observations.

The decision should be issued in writing (date and signed), indicating a summary of the facts, reference to the specific violation and motivations.

The sanction may be under the form of:

- Warning;
- Letter of reprimand;
- Transfer to other tasks or unit;
- Suspension from duties;
- Termination or removal.

The organisation may report serious violations to appropriate government or legal authorities.

#### **17. Principle 17: Reporting**

Employees have a responsibility to promptly report to the organisation any violation of the Code. The organisation shall put in place an appropriate mechanism (i.e. complaints/suggestion boxes, telephone, emails, etc.) as to allow employees to address communications to the management with the highest degree of trust and confidentiality.

Employees will not be disciplined or retaliated against in any way for reporting violations in good faith. Retaliation against any employee for reporting policy violations, or for testifying, assisting or participating in any manner to inspections is strictly prohibited. Any employee who believes he or she has been subjected to or has witnessed retaliation must immediately report the alleged retaliation to the management.

#### **18. Principle 18: Ethics officer**

The organisation shall select one member of the management to act as its ethics officer.

The ethics officer shall be a person of trust, independence and competence; s/he should be prepared, trained and/or certified in dealing with matters related to this code of conduct. The ethics officer shall perform his duty with the utmost tact, confidentiality, respect, fairness and proficiency.

The ethics officer will handle day-to-day compliance matters, including:

- Receiving, reviewing, investigating and resolving concerns and reports on the matters described in this Code;
- Interpreting and providing guidance on the meaning and application of this Code; and
- Reporting periodically and as matters arise to the management of the organisation on the implementation and effectiveness of this Code and other compliance matters, and recommending any updates or amendments to this Code deemed necessary or advisable.

#### **Appendix 1: Definition of advantage and examples of prohibitions**

“Advantage” means:

- any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- any office, employment or contract;
- any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- any other service, or favour, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- the exercise or tolerance from the exercise of any right or any power or duty; and
- any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs above.

Every employee commits to:

- not solicit, accept, offer, promise or pay a bribe either directly or through a third party. This includes “facilitation payments”.
- not accept transportation, travel expenses or accommodations for trips that are not business related.
- not offer or accept donations for parties, including going-away parties.
- not solicit or accept personal discounts that are not available to all employees or available to the general public.
- not offer or accept excessive or inappropriate meals or entertainment. Generally, an excessive amount would be an amount you would not normally spend on yourself.

Gifts provided should not give the appearance of unduly influencing, obligating the recipient or providing an improper advantage to the organisation. Gifts or entertainment should not reflect adversely on the organisation or the recipient's entity and the gifts should be given openly.

#### **Appendix 2: Examples of ways to dispose of gifts presented to a staff member in his official capacity**

- If the gift is of perishable nature (e.g. food or drink), it shall be shared among the office or during an activity organized by the organisation.
- If the gift is a useful item, it may be given to a beneficiary of the organization.
- If the gift is suitable for display (e.g. a painting, vase, etc.), it may be retained for display in the organisation's premises.
- If the gift is a personal item of low value, it may be retained by the recipient.

**Appendix 3: Examples of conflict of interest situations**

- A staff member has a financial interest in an entity that is being considered for selection as SARD's supplier of goods or services.
- A staff member accepts frequent gifts from the organisation's suppliers or contractors.