



# LEGS Code of Conduct and PSEA Policy

Reviewed September 2022

## LEGS CODE OF CONDUCT AND PSEA POLICY

Throughout this document, the term inappropriate behaviour (which may range from mild to grossly inappropriate behaviour) is intended to include, but is not limited to:

- Bullying
- Verbal, physical, or sexual harassment
- Rape and attempted rape
- Exploitation (including sexual exploitation)
- Abuse (including sexual abuse and abuse of power)
- Any actions that harm children or place them at risk of harm
- Intimidation
- Any form of discrimination
- Entering into relationships which cause, or could potentially cause, conflicts of interest at work
- Behaviour that brings, or could potentially bring, the organization into disrepute
- Showing a lack of respect for the dignity of others
- Behaving in a culturally insensitive manner
- Behaving in a manner which leads to, or could potentially lead to, health or security problems for the individual concerned and/or for other people
- Theft
- Unauthorized use or possession of LEGS property – or of the property of a third party – while acting or claiming to act on behalf of LEGS, and serious negligence or deliberate misuse of LEGS property
- Any attempt to commit fraud or to accept or solicit a bribe

Any finding of inappropriate behaviour, including those actions outlined above, by anyone working for or on behalf of LEGS will lead to termination of contract.

This Code of Conduct is based on the IASC Task Force on PSEA in Humanitarian Crises core principles<sup>1</sup>. The LEGS PSEA Policy is attached below as Appendix 1.

### INTRODUCTION

LEGS does not employ staff, nor does it have a central office as a means of keeping costs down. It works by contracting consultants to undertake specific activities working both from their homes and in the location where activities are based.

LEGS' consultants may, at times, work in situations in which they are in positions of power and trust (in relation to beneficiaries, other organisations and one another). This power and trust must never be abused. All LEGS consultants have a responsibility to the organisation to strive for and maintain the highest standards in the day-to-day conduct of their work. Any

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<sup>1</sup><https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse>

form of inappropriate behaviour is incompatible with LEGS' fundamental belief in the human dignity of all people, and with LEGS' core values.

A code of conduct is a key tool for the prevention of harassment, exploitation, abuse and/or inappropriate behaviour by consultants and those associated with LEGS. The LEGS Code of Conduct (hereafter, 'the Code') and its associated policies – HR and Safeguarding Policies – describe the standards of behaviour expected of all consultants engaged by LEGS; and seek to promote good practice. The Code provides clear guidance on the standards of behaviour the organisation requires from all consultants, or any organisations with which LEGS has a partnership agreement, to abide by; as well as providing examples of conduct that will be considered unacceptable. The Code is designed to guide and protect all consultants and programme participants<sup>2</sup>. Any breach of this Code by a LEGS consultant may result in termination of contract. In terms of staff from partner organisations, any breach of this Code may result in the suspension or termination of the partnership agreement.

Whilst recognising that laws and cultures differ considerably from one country to another, the Code is based on international good practice<sup>3</sup>. In addition, it is written to reflect the organisation's core values and commitment to ensuring that consultants always act in the best interests of all program participants. This Code applies to all people engaged by LEGS, including partner organisations engaged on LEGS projects, regardless of location, whether national or international, full or part time, consultants, interns, contractors or volunteers, and should be adhered to at all times. LEGS is not operational in any specific region or country and it does not have an implementation plan by region or country – there is therefore no annex relating to Implementation.

This Code and the associated policies are mutually supporting and should be considered in conjunction with each other. LEGS' partner organisations are expected to comply with the standards of behaviour outlined in this Code and in the associated policies.

All LEGS consultants, the representatives of partner organisations, and all people associated with LEGS projects must be given a copy of this Code and its associated policies in a language that they can understand, and an explanation of the content of the documents. By signing, the consultant confirms that they have read them, understood their content, and they agree to conduct themselves in accordance with them<sup>4</sup>.

The LEGS Public Complaints Policy is available on the LEGS website and includes details of how a complainant should contact LEGS and the procedures that LEGS will follow.

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<sup>2</sup> Programme participant refers to any individual associated with LEGS programmes and includes: i) beneficiaries of programmes delivered by LEGS or its partners; ii) members of the communities in which LEGS and its partner organizations work; iii) people engaged by LEGS, whether national or international, consultants, contractors or volunteers and any person actively involved in the programmes of LEGS or its partner organizations; and iv) LEGS partner organizations, their staff and anyone working on their behalf.

<sup>3</sup> e.g. the Statement of Commitment on eliminating sexual exploitation and abuse by UN and non-UN personnel : [https://interagencystandingcommittee.org/system/files/legacy\\_files/LATEST%20Statement%20of%20Commitment\\_%20Final%20Corrected%20Text%20%20updated%20with%20signatories%202011.pdf](https://interagencystandingcommittee.org/system/files/legacy_files/LATEST%20Statement%20of%20Commitment_%20Final%20Corrected%20Text%20%20updated%20with%20signatories%202011.pdf)

<sup>4</sup> Those responsible within LEGS for developing partnership agreements, contracting consultants, and agreeing to or organising visits to the field must ensure that this is done.

It is the responsibility of all LEGS consultants to adhere to LEGS Code of Conduct and its associated policies.

## REVIEW OF THE CODE

LEGS recognises that both internal and external environments change. Such change may have a bearing on the scope and content of this Code. Consequently, the Code and its associated policies will be reviewed periodically. The review process will be consultative and participatory in nature. The responsibility for initiating the policy review process rests with LEGS Management Team. Any changes to the policy that affect its underpinning principles or purpose will be submitted to the LEGS Board of Trustees for review and approval.

## STANDARDS OF CONDUCT

As a consultant for LEGS I commit myself to:

1. Be responsible for the use of information, assets and resources to which I have access by reason of my contract with LEGS.
  - I will ensure that I use any assets and resources entrusted to me in a responsible manner and account for all money and property in accordance with the appropriate policy and procedural requirements.
  - I will not use the organisation's computer equipment or other technology or equipment<sup>5</sup> or services 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, ethnicity or other personal characteristic.
  - I will not use LEGS' 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.
  - I will use all project goods and services, including those provided by or the property of a third party, in an appropriate manner.
  - I will not release to others any private or confidential information relating to LEGS (or for which LEGS is responsible) unless legally required to do so.
  
2. Be responsible for my own health, safety and welfare, and that of the consultants whom I supervise.
  - I will adhere to all organisational health and safety regulations and procedures in force.
  - I will comply with any local security guidelines and in a manner consistent with the Safety and Security Policy.

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<sup>5</sup>Internet, intranet and extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, telephony systems, network accounts providing e-mail, web browsing and file transfer protocol (FTP)

- I will behave in ways that avoid creating unnecessary risk to the security, 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 LEGS beliefs, values and mission.
- I will treat all people with respect and dignity. I will not discriminate, show differential treatment to, or favour particular individuals to the exclusion of others.
  - I will, in all my work for LEGS, promote the well-being and development of children; and will not engage in behaviour that is likely to cause harm, including physical, sexual, emotional abuse and neglect.
  - I will observe all national laws and behave in a culturally sensitive manner.<sup>6</sup>
  - I will not work under the influence of alcohol or drugs (with the exception of prescribed drugs for health reasons) or illegal substances<sup>7</sup> that affect my ability to perform my duties.
  - I will not use, distribute, sell or be in possession of illegal substances<sup>8</sup> in premises where LEGS is working, or whilst on LEGS business.
  - I will ensure that my behaviour both during and outside of work does not bring LEGS into disrepute and does not impact on or undermine my ability to undertake the role for which I am engaged.
  - I will not abuse my position as a LEGS consultant for personal gain by requesting, soliciting or accepting any payment, gift, service or favour (including sexual favours) from others, whether for my personal benefit or for the benefit of another person, in return for LEGS support, goods or services.
  - I will not enter into commercial sexual transactions at any time.<sup>9</sup>
4. Perform my duties and conduct my private life in a manner that avoids possible conflicts of interest with the work or reputation of LEGS and my work as a consultant of the organisation.
- I will avoid situations where my personal interests could conflict, or reasonably appear to conflict, with the interests of LEGS. Therefore, I will not enter into any sort of business relationship on behalf of LEGS with family members, friends or other personal/professional contacts for the supply of any goods or services to LEGS or any work-related matters without authorisation from the management team. I will declare any potential conflict of interest to my line manager.
  - I will not be involved in awarding benefits, contracts for goods/services, within the organisation to any person with whom I have financial, personal, family (or close intimate relationship) interests.
  - I will not accept bribes or gifts (except small tokens of appreciation) or any remuneration which have been offered to me as a result of my engagement with

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<sup>6</sup> Such laws or cultural practice can never be used as an excuse or a motive for inappropriate behaviour.

<sup>7</sup> National legislation in some of the countries in which LEGS works is particularly strict in relation to the possession of illegal substances for personal consumption and provides very severe punishments/sentences for those breaking the laws. All personnel must fully comply with national legislation in relation to such issues.

<sup>8</sup> As above.

<sup>9</sup> For the purpose of this Code, a 'transaction' is defined as any exchange of money, goods, services or favours with any person.

LEGS by governments, beneficiaries, partners, suppliers or any other persons. I will notify my line manager if I am offered or have received gifts of any kind, however small.

- I am aware that sexual relationships between a LEGS consultant 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 LEGS **prohibits** such sexual relationships. Should I be in or develop a sexual relationship with a beneficiary, I will immediately inform my line manager of the relationship.
5. Work to ensure the safeguarding of all project participants and avoid involvement in any activities that are illegal, contravene human rights,<sup>10</sup> or compromise the work of LEGS.
- I will ensure full compliance with LEGS Anti-Trafficking in Persons instructions in the Safeguarding Policy and will not take part in or support any illegal activities, particularly in relation to the trafficking of persons.
  - 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.
  - I will always consider and act in the best interests of children in all actions relating to them. I will not abuse or exploit children or adults in any way and will report any such behaviour by others to a senior manager.
  - I will refrain from any behaviour or action that might jeopardise LEGS' reputation.
6. Refrain from any form of bullying, harassment, discrimination, abuse, intimidation or exploitation.
- I will act fairly and honestly, and treat others with dignity and respect, regardless of their status - such as, but not limited to, their gender, race, religion or lack of religion, colour, national or ethnic origin, language, marital status, family status, birth, sexual orientation, age, disability, socioeconomic background, caste, political conviction, HIV and AIDS status, physical appearance, lifestyle, or other status.
  - I will never engage in any humiliating, degrading or exploitative behaviour.
  - I will not use or condone language that is inappropriate, demeaning, or offensive towards others.
  - Report any incident, concern or suspicion regarding any breaches of this Code.
  - I will bring to the attention of the relevant manager or the chair of trustees any potential incident, abuse or concern that I witness, I am made aware of, or suspect, which appears to break the standards contained in this Code.
  - I will not intentionally make malicious or false accusations in relation to this Code or its associated policies against any programme participant.

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<sup>10</sup> 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): [https://www.unicef.org.uk/wp-content/uploads/2019/10/UNCRC\\_summary-1\\_1.pdf](https://www.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf)

- I will ensure that all information about breaches of this Code and its associated policies is handled with the utmost discretion.

I have read carefully and understood the LEGS Code of Conduct and its associated policies and agree to abide by their requirements; and commit to upholding the standards of conduct required to support LEGS' core values and mission.

I understand that failure to comply with any principles of the LEGS Code of Conduct or its associated policies may result in termination of contract and, where applicable, may result in civil or criminal proceedings against me.

**Name:** .....

**Signature:** .....

**Date:** .....

**Location:** .....

**APPENDIX 1: LEGS POLICY ON PREVENTION AND RESPONSE TO SEXUAL EXPLOITATION AND ABUSE<sup>11</sup>**

*Final version as approved by the LEGS Board of Trustees in April 2021.*

LEGS places human dignity at the centre of its work. LEGS takes seriously all concerns about sexual exploitation and abuse and complaints about them brought to our attention. LEGS will initiate rigorous investigation of complaints that indicate a possible violation of this Policy on Prevention and Response to Sexual Exploitation and Abuse (“PSEA Policy” or Policy”) and take appropriate disciplinary action, as warranted. This policy applies to complaints of sexual exploitation and abuse involving LEGS Consultants and Related Personnel.<sup>12</sup>

**Background**

LEGS affirms its determination to prevent acts of sexual exploitation and abuse by LEGS Consultants and Related Personnel by achieving full implementation of the six core principles adopted in 2002 by the Inter-Agency Standing Committee Task Force on Prevention and Response to Sexual Exploitation and Abuse.

**Core Principles**

The Core Principles provide that:

1. *Sexual exploitation and abuse by humanitarian workers are acts of gross misconduct and are therefore grounds for termination of contracts.*
2. *Sexual activity with children (persons under the age of 18) is prohibited regardless of the local age of consent, i.e. the local or national laws of the country where the work is taking place. Ignorance or mistaken belief in the age of the child is not a defence.*
3. *Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour by LEGS Consultants and Related Personnel is prohibited. This includes the exchange of assistance that is due to beneficiaries.*
4. *Any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited.*
5. *When a LEGS Consultant develops concerns or suspicions regarding sexual exploitation or abuse by a LEGS Consultant or Related Personnel they must report such concerns via LEGS’ established reporting procedures.*
6. *LEGS Consultants are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of this Policy. LEGS*

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<sup>11</sup> As per the UN Secretary General’s bulletin (ST/SGB/2003/13), Sexual Exploitation is defined as the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse is defined as the actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

<sup>12</sup> We define ‘LEGS consultants’ to include all LEGS consultants (including individual and corporate contractors and related personnel) who have entered into partnership or contract with LEGS, and ‘Related Personnel’ to include Trustees and volunteers.



*Trustees have particular responsibilities to support and develop systems that maintain this environment.*

### Commitments

Trustees must ensure that all LEGS Consultants and Related Personnel understand and comply with this Policy and its Core Principles. To aid in implementing this Policy and in educating LEGS Consultants and Related Personnel, LEGS Trustees commit to:

1. Develop organization-specific strategies to prevent and respond to sexual exploitation and abuse.
2. Incorporate LEGS standards on sexual exploitation and abuse in Consultant and Related Personnel induction materials.
3. In compliance with applicable laws and to the best of LEGS abilities, prevent perpetrators of sexual exploitation and abuse from being rehired by LEGS. This could include use of background and criminal reference checks.
4. Establish and ensure that complaint mechanisms for reporting sexual exploitation and abuse are accessible, particularly to participants of LEGS projects.
5. Take appropriate action to the best of LEGS abilities to protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith.
6. Investigate allegations of sexual exploitation and abuse involving LEGS Consultants in a timely and professional manner, and to the best of LEGS ability, encourage related personnel to do the same. This includes the use of appropriate interviewing practices with complainants and witnesses, particularly with children. Engage professional investigators or secure investigative expertise as appropriate.
7. Take swift and appropriate action, including legal action when required, against LEGS Consultants and Related Personnel who commit sexual exploitation and abuse. This includes termination of contract, and/or referral to the relevant authorities for appropriate action, including criminal prosecution, in the abuser's country of origin as well as the host country.
8. Provide basic emergency assistance (medical, legal) and basic psychosocial support as appropriate and feasible to complainants of sexual exploitation and abuse.
9. Create and maintain mechanisms to systematically educate LEGS Consultants and Related Personnel on measures taken to prevent and respond to sexual exploitation and abuse.
10. Ensure that when engaging in contracts and partnerships, agreements a) incorporate this Policy as an attachment; b) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to comply with this Policy; and c) expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual exploitation and abuse, to investigate allegations thereof, or to take corrective actions when sexual exploitation or abuse has occurred, shall constitute grounds for LEGS to terminate such agreements.
11. Ensure high level oversight and information systems on SEA reports received and actions taken in order to monitor effectiveness, report progress and improve efforts to prevent and respond to sexual exploitation and abuse.

12. Undertake a review of LEGS' policy to prevent and respond to sexual exploitation and abuse at least every three years.

### Consultant and Related Personnel Standards

All Consultants and Related Personnel of LEGS must uphold and promote the highest standards of ethical and professional conduct and abide by LEGS' policies. This PSEA Policy sets the minimum standards to be followed by all LEGS Consultants and Related Personnel. Any violation of these Standards is a serious concern and may result in termination of contract, in accordance with LEGS Human Resource Policy.

1. Consultants and Related Personnel will not request any service or sexual favour from participants of LEGS projects, children or others in the communities in which LEGS works in return for protection or assistance and will not engage in sexually exploitative relationships.
2. Consultants and Related Personnel will not exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This prohibition against exchange of money for sex means LEGS Consultants and Related Personnel may not engage the services of sex workers while on LEGS business, or while travelling to/from or attending workshops, meetings and trainings, regardless of the local or national law concerning sex work or prostitution in the country.
3. Consultants and Related Personnel are prohibited from having sex or engaging in sexual activities with project participants because there is an inherent conflict of interest and potential for abuse of power in such a relationship. If a consultant engages in sex or sexual activities with a project participant, the Consultant/Related Personnel must disclose this conduct to their supervisor for appropriate guidance. Failure to report such conduct may lead to termination of contract pursuant to LEGS' policies.
4. Consultants and Related Personnel prohibited from sexual activity with any person under the age of 18, regardless of the local age of consent, i.e. the local or national laws of the country in which the Consultant/Related Personnel is working. Ignorance or mistaken belief of the child's age is not a defence. Failure to report such a relationship may lead to termination of contract pursuant to LEGS' policies.
5. Consultants and Related Personnel will not support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.
6. Consultants and Related Personnel must report any concerns or suspicions they have regarding possible violations of this PSEA Policy via LEGS' reporting procedures.
7. Sensitive information related to incidents of sexual exploitation and abuse, whether involving colleagues, project participants or others in the communities in which LEGS works, shall be shared only with enforcement authorities, LEGS Trustees, and members of the Secretariat who are at an appropriate level of seniority or deliver a function which requires them to know such information.
8. Consultants and Related Personnel must undertake to create and maintain an environment that promotes implementation of this Policy.

9. Managers and supervisors at all levels have particular responsibilities to support and develop systems that maintain an environment that facilitates implementation of this Policy and which is free of exploitation and abuse.