

HR-T1-CODE-02

CODE OF CONDUCT

Category	HR
Application	MSF Australia including all employees, volunteers, association, board members and operational partners (consultants and guests)
Owner	Executive Director
Tier	Tier 1
Approved by	MSF Board
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Document Name	HR-T1-CODE-02 MSF Australia Code of Conduct

1. Introduction

- 1.1** Medecins Sans Frontieres (MSF) considers itself a responsible employer and association, and this rests with the responsible behaviour of its members.
- 1.2** There is a mutual and complementary role of the employee and the employer to prevent, detect and address unacceptable behaviour and MSF staff should deploy the means to inform its patients and direct beneficiaries on the behavioural commitments stated below.

2. Purpose

- 2.1** The purpose of this Policy is to:
- (a)** Establish the minimum behavioural standard for the movement.
 - (b)** Confirm understanding and adherence to the behavioural commitments.
 - (c)** Enable the integration into employee's personal and professional conduct.

3. Scope

- 3.1** The policy applies to all MSF employees, volunteers, association, board members and operational partners, including consultants and guests.
- 3.2** The behavioural commitments also apply to all dependants of international staff accompanying MSF employees in the country of assignment.

4. Policy

4.1 The behavioural commitments of the MSF Code of Conduct are as follows:

- (a)** MSF staff members and operational partners shall behave respectfully and not discriminate against patients, colleagues or members of the local population on the basis of their race, opinions, lifestyle, gender, sexual orientation, socio-economic background, origin, religion or beliefs and other markers of identity, reflecting our commitment to a workplace that is inclusive.
- (b)** MSF staff members and operational partners shall not abuse anyone physically (i.e. physical violence, sexual aggression or other forms of physical abuse) or psychologically (e.g. bullying, abuse of power, harassment, discrimination or favouritism), reflecting our commitment to a workplace that is free from harassment.
- (c)** MSF staff members and operational partners shall not accept, under any circumstances, behaviour that exploits the vulnerability of others, in the broadest possible sense (sexual, economic, social, etc.). This includes exchange of goods, benefits or services for acts of a sexual nature, including the use of sex workers' services while on assignment
- (d)** MSF staff members and operational partners shall not accept child abuse, exploitation and violence and not engage in sexual relations with children;
- (e)** MSF staff members and operational partners shall not take advantage of their position for personal gain. Each member shall use MSF resources (including premises, goods, money, reputation, image, etc.) with respect and care and in the interests of the organisation and the populations it seeks to assist.
- (f)** MSF staff members and operational partners shall encourage and promote the safety, health and wellbeing of themselves and others in the workplace, inclusive of colleagues, patients and members of the local population.
- (g)** MSF staff members and operational partners shall show respect for cultural diversity in all communications and interactions with colleagues, patients or members of the local population.
- (h)** MSF staff members and operational partners shall be respectful of the national laws in the countries they work, in so far that these do not contradict the humanitarian principles of MSF.
- (i)** MSF staff members and operational partners have a duty to act with integrity and the highest ethical standards. This imposes a reporting obligation (through regular reporting channels) on all employees with regard to suspected misconduct or breach of the Code of Conduct.

5. Responsibilities

- 5.1** All those subject to this policy have an obligation to uphold the behavioural standards outlined and to report actions or incidents in contradiction of those standards.
- 5.2** MSF Australia and/or relevant managing section of MSF holds the authority to commence disciplinary action against individuals who breach this policy.

6. Implementation

- 6.1** Acknowledgements. All those subject to this policy are required to sign in acknowledgement of the expected standards and behaviour. A form able to be acknowledged is attached.
- 6.2** Breaches of the code. MSF may have to take disciplinary action against MSF staff members and operational partners who fail to follow this code of conduct. Disciplinary action will depend on the violation but may include:
- (a)** reprimand,
 - (b)** demotion,
 - (c)** suspension, or
 - (d)** termination.
- 6.3** Unlawful behaviour. MSF Australia may report incidents of unlawful behaviour to the relevant law enforcement authorities.
- 6.4** Further standards. More specific rules may apply to MSF staff members depending on the context in which they work and their area of activity.

7. Related Documents

- 7.1** [Identifies other relevant documents, if any].
- (a)** Definitions (attached)
 - (b)** Code of Conduct Acknowledgement (attached)
 - (c)** MSF Australia Child Protection Code of Conduct

CODE OF CONDUCT - DEFINITIONS

1. Assignment

- 1.1** A staff member is considered on assignment in the following circumstances:
- (a)** they are performing duties for MSF inside or outside of their usual place of work;
 - (b)** they are present on MSF premises; and/or
 - (c)** during their working hours.
- 1.2** A staff member is also considered on assignment at any time they are perceived as a member of or representing MSF. This includes:
- (a)** When they are using MSF cars or wearing MSF signs of identification; and
 - (b)** When they are assigned in a location different from their place of recruitment (international staff and any other staff being temporarily or permanently relocated in order to perform duties for MSF).
 - (c)** all members of MSF leadership, all board members of MSF entities, all GDs, all Directors or Heads of departments in all entities, all advocacy and representation staff and all coordinators.

2. Children

- 2.1** Article 4 of the MSF Behavioural Commitments states: “MSF staff members and partners shall not accept child abuse, exploitation and violence and not engage in sexual relations with children;”
- 2.2** The definition of children comes from the UN Convention on the Rights of the Child, which defines a child as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. This means that the age under which an individual is considered as a child can vary from one country to another.
- 2.3** In terms of implementation, this means that each MSF entity will apply the article of the Behavioural Commitments according to the local laws applicable to the child. For international staff, the law applicable in the country issuing the employment contract must also be respected.

MSF AUSTRALIA

CODE OF CONDUCT -

ACKNOWLEDGEMENT

Medecins Sans Frontieres (MSF) considers itself a responsible employer and association, and this rests with the responsible behaviour of its members. There is a mutual and complementary role of the employee and the employer to prevent, detect and address unacceptable behaviour and MSF staff should deploy the means to inform its patients and direct beneficiaries on the behavioural commitments stated below.

Within MSF, all members of staff (employees, including staff on international assignment, volunteers, daily workers) and operational partners (including consultants and guests) understand and adhere to the commitments below, incorporate them into their professional and personal conduct, and abide by them. Should this not be the case, MSF offers channels for reporting at every level of the organisation and any non-compliance will entail due consequences.

These Behavioural Commitments are considered as a minimum behavioural standard, more specific rules may apply to MSF staff members depending on the context in which they work and their area of activity.

Behavioural Commitments

1. MSF staff members and operational partners shall behave respectfully and not discriminate against patients, colleagues or members of the local population on the basis of their race, opinions, lifestyle, gender, sexual orientation, socio-economic background, origin, religion or beliefs and other markers of identity, reflecting our commitment to a workplace that is inclusive.
2. MSF staff members and operational partners shall not abuse anyone physically (i.e. physical violence, sexual aggression or other forms of physical abuse) or psychologically (e.g. bullying, abuse of power, harassment, discrimination or favouritism), reflecting our commitment to a workplace that is free from harassment.
3. MSF staff members and operational partners shall not accept, under any circumstances, behaviour that exploits the vulnerability of others, in the broadest possible sense (sexual, economic, social, etc.). This includes exchange of goods, benefits or services for acts of a sexual nature, including the use of sex workers' services while on assignment;
4. MSF staff members and operational partners shall not accept child abuse, exploitation and violence and not engage in sexual relations with children;
5. MSF staff members and operational partners shall not take advantage of their position for personal gain. Each member shall use MSF resources (including premises, goods, money, reputation, image, etc.) with respect and care and in the interests of the organisation and the populations it seeks to assist.
6. MSF staff members and operational partners shall encourage and promote the safety, health and wellbeing of themselves and others in the workplace, inclusive of colleagues, patients and members of the local population.

7. MSF staff members and operational partners shall show respect for cultural diversity in all communications and interactions with colleagues, patients or members of the local population.
8. MSF staff members and operational partners shall be respectful of the national laws in the countries they work, in so far that these do not contradict the humanitarian principles of MSF.
9. MSF staff members and operational partners have a duty to act with integrity and the highest ethical standards. This imposes a reporting obligation (through regular reporting channels) on all employees with regard to suspected misconduct or breach of the Code of Conduct.

MSF may have to take disciplinary action against MSF staff members and operational partners who fail to follow this code of conduct. Disciplinary action will depend on the violation but may include reprimand, demotion, suspension or termination. In the event of unlawful behaviour, MSF may report conduct to the relevant law enforcement authorities.

By signing this document, I declare to have read this document and understood its intention, implications and consequences as to my behaviour required while engaged by Médecins Sans Frontières.

Name:

Place:

Date:

Signature: