2020

CODE OF CONDUCT & ETHICS

FOR SILENT CRY FOUNDATION

PREFACE

Silent Cry Foundation establishes the following Code of Conduct and Ethics for its staff. This code of conduct is intended to establish standards of integrity and ethical conduct in the organization, by ensuring that all employees adhere to, and respect the values, principles and requirements of Silent Cry Foundation, in discharge of their duties and responsibilities.

The organization is committed to develop and promote standards and best practices in integrity in the work place. This Code therefore contains rules of conduct and ethics to be observed by employees so as to maintain high standards of integrity and impartiality. This code of conduct shall be an integral part of employees' contracts.

PART I: PRELIMINARY PROVISIONS

Citation

This Code may be cited as the Silent Cry Foundation Code of Conduct and Ethics.

Statement of Intent

(i) By establishing this Code of Conduct, the organization fulfills its statutory obligations and demonstrates its commitment to serve people in its areas of operations and the general public. In accordance with its Vision and Mission Statement, Silent Cry Foundation is committed to carrying out its mandate with honesty, integrity, accountability, impartiality and professionalism.

(ii) This Code of Conduct is intended to ensure that all staff perform, and from the perspective of the public, are seen to perform, their official duties professionally, impartially and consistently in the public interest. It elaborates standards of conduct and responsibility.

(iii) Every staff shall have the general obligation to comply with all applicable laws, rules and regulations, both in letter and in spirit while discharging duties, performing functions or exercising powers conferred or vested in the organization by such laws, rules or regulations.

Interpretation

In this Code, unless the context requires otherwise—

Organization: means Silent Cry Foundation

Business activity: means the purchase, sale or rental of goods, works, services or real estate, or any interests therein;

Conflict of interest: means a situation or a circumstance in which a member of Staff, has a private or personal interest sufficient to appear to influence the objective and impartial exercise of his/her official duties;

Director General: means the overall manager appointed by Silent Cry Foundation Board to be responsible for managing the affairs of the organization; **Pecuniary interest**: means direct or beneficial ownership of any of the following financial interests: shares, securities, debt obligations, and proprietary or partnership interests;

royalties, income, compensation or any other payments of any kind;

Person: means an individual or a corporation, a partnership, a trust, an unincorporated organization, or any agency or political subdivision thereof; **Primary party of interest**: means a person subject to the jurisdiction of the organization or a person that realizes significant portion of their business activity from making transactions with, or furnishing goods or services to a person subject to the jurisdiction of the organization;

Relative: means - person connected by blood or marriage.

Secondary party of interest: means a person other than a primary party of interest, materially affected, directly or indirectly, by a matter that is, or is expected to be, pending before the organization;

Employee: means any person employed by Silent Cry Foundation, including the Director General, departmental directors, other officers and members of staff, and consultants/experts who may be engaged to assist the organization perform its functions and exercise its powers;

Trickery means: means the use of practice of tricks or ploy to deceive.

Application of Code

This Code applies to all employees of Silent Cry Foundation including consultants (short-term or long term) or any other individual/s appointed to serve the organization.

PART II - GENERAL STANDARDS

This part sets out the general standards of the Code of Conduct and Ethics for employees of the Organization.

Service Quality Standards

Employees shall deliver service that is timely, accessible, efficient, confidential and respectful of all persons involved. Quality of service delivery can be defined as—

- **Tangibles:** Appearance of physical facilities, equipment, personnel, and communication materials;
- **Reliability:** Ability to perform the promised service dependably and accurately;
- **Responsiveness:** Willingness to help communities and provide prompt service to affected people;
- **Assurance:** Knowledge and courtesy of employees and their ability to convey trust and confidence;
- **Empathy:** Care and individualized attention the Organization provides to people in its areas of operations.

Responsibility and Duties

Subject to Silent Cry Foundation Constitution and any other applicable law, a member of staff shall take personal responsibility for the reasonably foreseeable consequences of any actions or omissions arising from the discharge of the duties of office.

Performance of Duties

An employee shall, to the best of his/her ability and in accordance with the relevant stipulated Terms of Reference —

(a) Carry out the duties of the office efficiently and honestly;

(b) Carry out the duties in a transparent and accountable manner;

(c) Deliver service with utmost transparency and integrity;

(d) Keep accurate records and documents relating to the functions of the office; and

(e) Report truthfully on all matters of the Organization.

Professionalism

A member of staff shall—

(i) Carry out his/her duties in a way that maintains public confidence in the integrity of his/her office;

(ii) Treat the public and his/her fellow staff with courtesy and respect;

(iii) To the extent appropriate to his/her office, seek to improve the standards of performance and level of professionalism in the Organization;

(iv) If a member of a professional body, observe the ethical and professional requirements of that body;

(i) Observe official working hours and not be absent without proper authorization or reasonable cause;

(ii) Discharge any professional responsibilities in a professional manner.

Moral & Ethical Standards

Employees of Silent Cry Foundation shall observe and maintain the following moral and ethical requirements—

(a) Demonstrate honesty in discharge of his/her duties;

(b) Not to engage in activities that amount to abuse of office;

(c) Accurately and honestly represent information to the public;

(d) Not to engage in unethical behaviors in furtherance of personal benefits;

(e) Not misuse Organization resources;

(f) Not discriminate against any person, except as expressly provided under the Law;

(g) Observe basic ethical values of fairness, equality and individual rights of colleagues while discharging his/her duties; and

(h) Not falsify any records.

Rule of Law

(i) A member of staff shall carry out his/her duties in accordance with the constitution of Silent Cry Foundation;

(ii) In carrying out his/her duties, a member of staff shall not violate the rights and freedoms of any person.

Dress Code

Members of staff for the Organization shall dress decently and appropriately.

Political Neutrality

Regardless of their political opinions, a member of staff of Silent Cry Foundation shall serve impartially, with loyalty, honesty and objectivity. A member of staff therefore—

(i) Shall not make public comments that support or criticize a political party;

(ii) Shall not make public comments that may compromise, or may reasonably be seen to compromise, the political neutrality of his/her office;

(iii) Shall not publicly comment, except in furtherance of his official duties, on matters in relation to which he/she has been professionally involved;

(iv) Shall not, expressly or by implication, represent that any public comments he makes reflect the views or opinions of the Organization if that is not the case.

Private Affairs (outside activities)

(i) While a member of staff should not be isolated from the society of which he/she is a part, he/she shall ensure that his/her non-official activities do not interfere with his/her official duties or affect the dignity of his/her office and that the risk of conflict with his/her official duties is minimized;

(ii) A member of staff shall not engage in private business during official working hours.

Gifts

1. A gift or donation given to a member of staff on a public or official occasion shall be treated as a gift or donation to Silent Cry Foundation.
2. A member of staff may receive a gift in an official capacity, provided that—
   a) The gift is within the ordinary bounds of propriety, a usual expression of courtesy or protocol and within the ordinary standards of hospitality;
   b) The gift is non-monetary; and
   c) The gift does not exceed such value as may be prescribed by the Organization in its developed regulations.
3. A member of staff shall not—
   i. Accept or solicit gifts, hospitality or other benefits from a person who—
   a) Has an interest that may be achieved by carrying out or not carrying out the employee's duties;
   b) Carries on regulated activities with respect to which the member of staff has a role; or
   c) Has a contractual or legal relationship with the Organization;
   ii. Accept gifts of jewelry or other gifts comprising of precious metal or stones, ivory or any other animal part, protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora; or
   iii. Any other type of gift specified by the Organization in the regulations.
4. A member of staff shall not receive a gift, which is given with the intention of compromising the integrity, objectivity or impartiality of the employee.
5. A member of staff who receives a gift or donation shall declare the gift or donation to the Organization for submission into the Gifts Register. The Organization shall make and publicize regulations regarding receipt and disposal of gifts.

Care of Property

(i) A member of staff shall take all reasonable steps to ensure that any property entrusted to his/her care is adequately protected and not misused or misappropriated;

(ii) A member of staff who contravenes subsection (i) above shall be personally liable for losses resulting from the contravention.

Financial Integrity

(i) A member of staff of Silent Cry Foundation shall not use the office to unlawfully or wrongfully enrich himself or herself or any other person;

(ii) A member of staff of the Organization shall not accept a personal loan or benefit which may compromise the staff in carrying out their duties;

(iii) A member of staff shall live within his means and avoid incurring any financial liability that he/she cannot satisfy.

Protection of Assets

(i) Members of staff shall not use, for personal gain or otherwise, the assets of the Organization, including tangible assets such as equipment and machinery, vehicles, systems, facilities, materials, resources as well as intangible assets such as proprietary information, relationships with primary or secondary party of interest and shall employ them for the purposes of conducting the business for which they are duly authorized;

(ii) The members of staff shall return to the Organization all property in their custody, possession or control at the end of their appointment.

Impartiality

A member of staff shall, at all times, carry out the duties of the office with impartiality and objectivity in accordance with the Constitution of Silent Cry Foundation and shall not practice favoritism, nepotism, tribalism, cronyism or engage in corrupt or unethical practices.

Wrongful Acquisition of Property

A member of staff shall not use their office to wrongfully or unlawfully influence the acquisition of property.

Misleading the Public

A member of staff shall not knowingly give false or misleading information to members of the public or to any other employee.

Sexual Harassment

(i) A member of staff shall not sexually harass a member of the public or a fellow employee;

(ii) In subsection (i), "sexually harass" includes doing any of the following, if the person doing it knows or ought to know that it is unwelcome—

(a) Making a request or exerting pressure for sexual activity or favors;

(b) Making intentional or careless physical contact that is sexual in nature; and

(c) Making gestures, noises, jokes or comments; including innuendoes regarding another person's sexuality.

Falsification of Records

A member of staff shall not falsify any records or misrepresent information to the public.

Bullying

(i) A member of staff shall not bully any person;

(ii) For purposes of subsection (i), “bullying” includes repeated offensive behavior, which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

Selection of Staff

A member of staff of the Organization shall practice and promote the principle that public officers should be selected on the basis of integrity, competence and suitability.

Acting through Others

(i) A member of staff contravenes the Code of Conduct and Ethics if—

(a) He/she causes anything to be done through another person that would, if the staff did it, amounts to the contravention of the Code of Conduct and Ethics; or

(b) He/she allows or directs a person under his/her supervision or control to do anything that is a contravention of the Code of Conduct and Ethics.

(ii) Subsection (i)(b) does not apply with respect to anything done without the member of staff's knowledge or consent if the member of staff took reasonable steps to prevent it.

Proscribed Activity

No member of staff shall—

(a) Make any decision based upon any hope or expectation of future employment with any primary or secondary party of interest;

(b) Solicit, request, suggest or recommend, directly or indirectly, to any primary or secondary party of interest the commencement or continuation of a business activity with any person that is subject to jurisdiction of the Organization;

(c) Engage in actions, which would lead to the member or staff's removal from the membership of a professional body in accordance with the applicable laws.

Reporting Improper Orders

If an employee of the Organization considers instructions issued in the performance of their duties amount to contravention of the Code of Conduct and Ethics, he/she shall report the matter to an appropriate authority.

PART IV CONFLICT OF INTEREST

Conflict of interest

(i) A member of staff shall use his/her best efforts to avoid being in a position in which his/her personal interests conflict with his/her official duties;

(ii) A member of staff shall not hold shares or have any other interest in a corporation, partnership of other body, directly or through another person, if holding those shares or having that interest would result in the officer's personal interests conflicting with his/her official duties;

(iii) A member of staff whose personal interests conflict with his/her official duties shall—

(a) Declare the personal interests to the Organization's Human Resources Unit and comply with any directions to avoid the conflict; and

(b) Refrain from participating in any deliberations with respect to the matter.

(iv) Notwithstanding any directions to the contrary under subsection (iii)(a),

A member of staff shall not award a contract, or influence the award of a contract to—

(a) Himself/herself;

(b) A spouse or relative;

(c) A business associate; or

(d) A corporation, partnership or other body in which the officer has an interest.

(v) The regulations may apply when the personal interests of a member of staff conflicts with his/her official duties for the purposes of this section.

(vi) In this section, "personal interest" includes the interest of a spouse, relative or business associate.

Register of Conflict of Interest

The Organization shall maintain an open register of conflicts of interest maintained by the Organization's Human Resources Unit in which an affected member of staff shall register the particulars of interests, stating the nature and extent of the conflict.

PART V: MEDIA & COMMUNICATION

Media Relations

(i) The Organization shall communicate with the public on any issue relating to it through—

(a) The Director General Manager; or

(b) Any person duly authorized by the Director General.

(ii) Members of staff shall not be held liable by the Organization in respect of any statement made to the media by staff, provided that such member/s of staff acted with the express authority of the Organization and in good faith and within the scope of his/her duties.

Safeguarding of Information

A member of staff shall ensure that confidential or secret information or documents entrusted to his/her care are adequately protected from improper or inadvertent disclosure. An employee is therefore not expected to directly or indirectly disclose, reproduce or transfer, in whole or in part of confidential information.

Channels of Communication

(i) Members of staff shall employ the following channels of communication when reporting incidents of illegal, unethical or unprofessional conduct—

(a) Where the incident involves between two or more members of staff and the Director General, communication shall be to the Board of Silent Cry Foundation;

(b) Where the incident involves between members of staff, communication shall be to the Director General;

(c) Staff shall communicate with their immediate supervisors.

(ii) When considering communications related to unethical behavior, the Director General Manager as appropriate shall fairly and expeditiously address or investigate and determine all matters brought to their attention.

Conduct of Investigations

(i) While discharging their respective duties the Organization shall conduct investigations in such a way that all matters are investigated diligently, fairly, honestly and appropriately;

(ii) No Staff shall obtain any information by way of coercion, collusion, deceit, intimidation or trickery;

During the course of investigations, the Organization's officers or appointees shall seek the information required making an informed decision regarding the matter in question.

Breach of Code

Where a member of staff has committed a breach of this Code, appropriate action will be taken in accordance with the applicable laws.

Review

The Code shall be reviewed at such intervals as the Organization may determine with the approval of the Board of Silent Cry Foundation.

Signed at ……. On this …… day of ….. 2020

