

Global Code of Conduct Definitions

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Global Code of Conduct Definitions

1 Introduction

- 1.1 The following definitions explain the meaning behind activities and actions relating to safeguarding, health & safety, security, well-being, fraud and malpractice as referenced in the Global Code of Conduct and Global procedure for reporting malpractice and breaches to the Global Code of Conduct.

2 Safeguarding

- 2.1 Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur. It includes the responsibility that organisations have to ensure their staff, associated representatives, and programmes do no harm to people.
- 2.2 **Child protection** is part of safeguarding as outlined in Water Aid's Principles of Child Safeguarding. It is the process of protecting individual children identified as either suffering or at risk of abuse. It includes measures and procedures to prevent or minimise the potential for all forms of abuse.
- 2.3 WaterAid defines a **child** as anyone under the age of 18.
- 2.4 A **vulnerable adult** is a person 18 or over who is experiencing, or is at risk of, abuse, neglect or exploitation and is unable to protect themselves because of being in a position of social disadvantage due to one or more factors. These factors include (but are not limited to) poverty, migrant status, sex, gender identity, sexual orientation, disability, mental health, caste, religion, health and age. Vulnerability is not a fixed status and factors may affect individuals differently.

3 Safeguarding definitions

- 3.1 **Harassment** is unwanted verbal, non-verbal or physical conduct related to a person's actual or perceived characteristics. These include race, colour, sex, language, religion, or other status such as disability, age, marital and family status, sexual orientation and gender identity, health status, economic and social situation.

- 3.1.1 This conduct is unwanted and uninvited and has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive work environment for that person.
- 3.1.2 A single incident of unwanted or offensive behaviour to one individual can amount to harassment and can be a criminal offence.
- 3.1.3 Harassment does not include instances where a line manager raises performance issues in a fair and reasonable way and/or is following the correct and appropriate stages of a performance management, disciplinary procedures or change management processes as set out in global guidelines or local policy.
- 3.1.4 Examples include but are not limited to:
- Spoken or written words of abuse in person or by other means e.g. social media or email
 - Jokes, banter, insults, taunts or gibes, which focus on personal or physical characteristics
 - The general use of racist language or terminology, sexually explicit or provocative language, offensive or homophobic language
 - Insulting or ridiculing the way someone dresses, speaks or behaves
 - Unwelcome or offensive questions, remarks or suggestive comments about a protected characteristic
 - Isolation and or non-cooperation at work and exclusion from social activities
 - Physical gestures, facial expressions, persistent or unwanted attention, physical contact or assault, mimicry and pranks
 - Seeking to obtain consent to a sexual relationship through the inappropriate use of power or influence.
 - Excluding a person because of a personal and/ or protected characteristic.

3.2 Sexual harassment is unwelcome and unwanted verbal, non-verbal or physical conduct of a sexual nature.

3.2.1 A single incident of unwanted or offensive behaviour of a sexual nature to one individual can amount to sexual harassment and can be a criminal offence.

3.2.2 Examples include but are not limited to:

- Sexually derogatory remarks or comments about an individual's body or dress
- Sexually degrading words used to describe an individual

- Sexually suggestive or obscene letters, notes, emails, text messages or social media posts, demeaning or inappropriate comments, name-calling, innuendos, slurs, jokes, sexual advances or propositions
- Conduct of leering, sexual gestures, displaying or distributing sexually suggestive objects or pictures, cartoons, graffiti posters or magazines
- Actual or threatened physical contact or conduct such as patting, pinching, or any other unwanted touching
- Unwelcome sexual behaviour, which might be perceived by the offender to be harmless flirting and may involve suggestions, advances, propositions or pressure for sexual activity
- Suggestions that sexual favours may further an employee's career or that refusal of sexual favours may hinder it
- Continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome
- Inappropriate behaviour, whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks

3.3 **Bullying** is offensive, intimidating, malicious or insulting behaviour directed against an individual or a group of individuals that, through the abuse or misuse of power, creates a threatening or intimidating environment undermining the confidence and self-esteem of the recipient. Bullying can take the form of physical, verbal and non-verbal conduct.

3.3.1 Bullying involves a real or perceived abuse or misuse of power that humiliates or injures the recipient. Power includes both personal strength and the power to coerce others through fear or intimidation.

3.3.2 Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem. Bullying behaviour makes the recipient feel vulnerable, upset, humiliated and threatened.

3.3.3 Bullying behaviour may be directed to a more junior person, more senior person or to a peer.

3.3.4 Bullying does not include legitimate and constructive criticism of an employee's performance or behaviour, or reasonable requests made of employees. It does not include instances where a line manager raises performance issues in a fair and reasonable way and/or is following the correct and appropriate stages of a performance management, disciplinary procedures or change management processes as set out in global guidelines or local policy.

3.3.5 Examples include but are not limited to:

- Abuse and misuse of power or status in such a way that an individual feels threatened or coerced. Making unreasonable or intimidating demands of an employee to deliver beyond the responsibilities of their role
- Aggressive or intimidating behaviour towards an individual including shouting or unreasonable anger, making physical or psychological threats
- Repeated unfair criticism or destructive and negative criticism along with lack of reasonable support for future improvement
- Criticism in front of others that humiliates and undermines them, including by email
- Criticism that focuses on a personal characteristic rather than work performance.
- Ostracising or excluding someone e.g. refusing to speak to them, ignoring their views or comments, or deliberately excluding them from work related or social activities
- Deliberately imposing grossly excessive or unachievable workloads or impossible deadlines in order to make life difficult for a particular employee
- Unjustified micromanagement that may undermine confidence or disempower an individual
- Coercion or pressure to perform social favours or participate in religious or political activity
- Withholding vital work-related information in order to embarrass someone or make them look foolish
- Making threats or comments about job security without foundation
- Being sarcastic towards, ridiculing or demeaning others.

3.4 **Cyber bullying** is the use of electronic communication to bully a person (as detailed above).

3.5 **Exploitation** is actual or attempted abuse of a position of vulnerability, differential power, or trust. Exploitation can take the form of exchanging money or something of value to take advantage of a person or group of people in order to profit from them or benefit in another way. This includes trafficking in persons.

3.6 **Child abuse** is any action or inaction by another person that causes harm to a child. WaterAid recognises five categories of abuse: physical abuse, emotional abuse, neglect, sexual abuse, and exploitation.

- 3.7 **Grooming** refers to behaviour that can be seen to manipulate a child into behaving in a particular way, especially behaviour that is used to coerce a child into sexual activity. Grooming often involves building a false sense of trust or creating secrecy around the relationship that the offender has with a child.
- 3.8 **Indecent images of children** refer to sexual images, videos or pseudo-photographs of a child depicted nude or partially clothed, engaged in penetrative or non-penetrative sexual activity or posing sexually. This includes self-generated imagery taken by a child.
- 3.9 **Inappropriate behaviour** is any of the behaviour described in the definitions above directed towards a child or vulnerable adult. It is behaviour that falls short of expected professional conduct and the expectation to treat others with dignity and respect. It may include offensive, belittling or threatening behaviour that is unsolicited and may be repeated.

4 Discrimination

- 4.1 Discrimination may be direct, indirect, by victimisation, exclusion or through harassment and it may occur intentionally or unintentionally.
- 4.2 **Direct discrimination** is less favourable treatment of a person compared with another person due to a particular characteristic.
- Indirect discrimination** is the use of a particular practice, criteria or provision that applies to everyone but which, intentionally or unintentionally, disadvantages people with a particular characteristic without objective justification.
- 4.3 **Victimisation** is the less favourable treatment of a person because of action taken to complain about discrimination/ harassment or to help someone who has been the victim of discrimination.
- 4.3.1 For example, if a member of staff makes a harassment/ discrimination complaint against their line manager and as a result, the line manager starts treating them unfairly and denies them a promotion.
- 4.4 **Exclusion** is the process of obstructing or denying full access to individuals and/or groups from rights, opportunities, resources, processes, activities, and decisions that are fundamental to participation in economic, social or political life.

- 4.4.1 In a workplace context, this may lead to an individual feeling disconnected, isolated and uninvolved.
- 4.4.2 Examples include but are not limited to:
- Being ignored or avoided at work
 - Being excluded from conversations
 - Not being invited to work events
 - Little attention paid to or interest in someone's opinion
 - Exclusion from important work activities, decisions or meetings
 - Important information being kept from someone
- 4.3 **Oppression** may be social, cultural, systematic or institutionalised. The result is an act/s which exploit one social group by another for the benefit of the oppressor group. These acts can burden some groups with unjust or cruel restraints, mistreatments or impositions.
- 4.3.1 For example, when an organisation has 'white gaze' (a dominant mode of perception in UK society that measures people of colour against white, Western standards, holding this white Western standard as the model that all should aspire to) into its recruitment and promotion processes which makes it difficult for a person of colour to be recruited or promoted.
- 4.4 **Allyship** is a proactive and ongoing practice of unlearning and re-evaluating, in which a person of privilege works in solidarity and partnership with a marginalised group of people to help take down the systems that challenge that group's basic rights, equal access, and ability to thrive in our society. True allyship involves a continual investment of time in listening, supporting others, holding ourselves accountable when mistakes are made, apologising and being prepared to change.
- 4.4.1 For example, an ally seeks to listen, and learn as much as possible about the challenges and prejudices faced by colleagues from marginalised groups. An ally can also work to ensure that underrepresented voices are heard and respected. An ally can vocally support colleagues from underrepresented groups in situations which will help to boost those colleagues standing.
- 4.5 **Microaggression** is a statement, action, or incident regarded as an instance of indirect, subtle, intention or unintentional discrimination and hostility against members of a marginalised group such as a racial or ethnic minority.

- 4.5.1 For example, pathologising certain communication styles or cultural values e.g. asking a Black person why they are so loud, and an Asian person why are they so quiet.
- 4.6 **Privilege** is unearned advantage which is gained as a consequence of the lack of disadvantage given from aspects of identity outside of our control. You can have (or lack) privilege because of your race, gender, sexual orientation, ability, religion, wealth, class among many other characteristics.

5 Health & Safety, Security and Well-being

- 5.1 **Health & safety** refers to the practice of protecting our people from illness, injury or any physical harm resulting from unintentional accidents that may occur within the workplace, during the delivery of WaterAid activities or when interacting with any of WaterAid's services.
- 5.2. Examples of safety risks that may occur during our work may include:
- Accidents during construction activities
 - Road traffic accidents during field travel
 - Fire
 - Outbreaks of disease or pandemics
 - Slips, trips and falls
 - Injury due to improper workstation set-up
- 5.3. **Security** refers to the practice of protecting our people, property or assets from injury, damage or any physical harm resulting from deliberate and malicious acts that have intended negative consequences (e.g. hurting, stealing something or causing damage or disruption). It applies to instances where WaterAid is both directly targeted and indirectly affected by these acts.
- 5.4. Examples of security risks that may occur during our work include
- Robbery, theft or vandalism of WaterAid property or assets
 - Terrorist attacks
 - Civil / political unrest
 - Conflict or armed activity
 - Kidnapping
 - Arrest or detention

- 5.5. **Well-being** refers to the practice of protecting our people from any psychological harm or ill health that may occur as a result of any work-related activities. When people are in a state of wellbeing at work, they are able to develop their potential, work productively and creatively, build positive relationships with others, cope with the normal stresses of life and make a meaningful contribution.
- 5.6. Examples of good well-being practices at work include:
- Maintaining a healthy work / life balance
 - Effectively managing workloads through prioritisation and productive working methods
 - Providing opportunities for learning, development and growth
 - Providing a working environment that encourages people to speak up when they are struggling with their mental health and need support, that role model's good mental health awareness and well-being, and that challenges mental health stigma.

6 Fraud

- 6.1 Fraud is a knowing act of deception intended for personal gain or to cause a loss to another party. Fraud diverts vital resources, breaches our ethics and values and damages our reputation with supporters, the public and those WaterAid is trying to influence.
- 6.1.1 **Fraud by false representation** is when someone dishonestly makes a misrepresentation with the intent of making a gain for themselves or another, or to cause loss to another. A representation is false if it is untrue or misleading, and the person making it knows that it is.
- 6.1.2 Examples include but are not limited to:
- Stealing money and making false entries in a cash book to conceal the theft
 - Providing false references in order that someone can get a job
 - Falsifying a project progress report in order that a partner can obtain further funds
 - Stealing funds by creating dummy employees or fictitious invoices
 - Unauthorised use of the name WaterAid for personal benefit
 - Using WaterAid time or resources for unapproved secondary employment
- 6.1.3 **Fraud by failing to disclose information** is when someone dishonestly fails to disclose information that they are under a duty to disclose, with the intent of making a gain for themselves or another, or to cause loss to another.

6.1.4 Examples include but are not limited to:

- Obtaining a job with WaterAid after not having declared criminal convictions as required
- Avoiding payment of income tax by failing to disclose all income to the authorities

6.1.5 **Fraud by abuse of position** is when someone occupies a position in which they are expected to safeguard the financial interests of another, and dishonestly abuses that position with the intent of making a gain for themselves or another or causing loss to another.

6.1.6 Examples include but are not limited to:

- A manager or budget holder who has authority to spend, purchases goods for their own personal use
- A manager abuses their position in order to grant contracts to their friends or family
- An IT Manager abuses their computer access privileges in order to amend payroll records for their own benefit

6.2 **Bribery** refers to the offering, giving, requesting, or receiving of any item of value as a way of influencing the actions of an individual.

6.3 **Corruption** is a form of dishonesty undertaken by a person entrusted with a position of authority, often to acquire personal benefit.

6.4 **Negligence** is the failure to exercise the degree of care considered reasonable or expected under the circumstances, resulting in an unintended injury or loss to another party.

6.4.1 All staff have a general duty of care to WaterAid and special responsibilities arising from their roles.

6.4.2 Examples include but are not limited to:

- Approval of expenditure which is clearly inconsistent with financial procedures
- Failure to establish or adhere to basic financial controls when this is a requirement of the job
- Leaving a vehicle, office or storeroom unoccupied and unlocked
- For example, drivers have duties in relation to looking after vehicles; managers have responsibilities for ensuring that budgets are spent effectively.

6.5 **Money laundering** is the activity of covering up the transformation of profits from illegal activities into what seem legitimate assets.

7 Serious malpractice

7.1 Serious malpractice includes but is not exhaustive of criminal activity, negligence, breach of contract or administrative law, serious breach of the Global Code of Conduct, miscarriage of justice, danger to health and safety, fraud, corruption, bribery or blackmail, or any attempt to cover up any of the above.

7.2 **Criminal activity** is an act or offence committed in violation of law where the consequence of conviction by a court is punishment. Criminal activity is any unlawful activity or conduct that is a violation of law.

7.3 WaterAid takes any acts of serious malpractice that could seriously affect our reputation, divert resources from where they are most needed and impede the achievement of our global objectives very seriously.

8 Data protection

8.1 **Data protection** refers to how WaterAid ensures personal data and sensitive personal data relating to staff and supporters is adequately collected, stored, used and managed.

8.2 **Personal data** is any information that can be used to identify a living individual, directly or indirectly. Examples include name, address, date of birth, telephone number, email, GPS coordinates, photographs and IP addresses.

8.3 **Sensitive personal data** includes data relating to race or ethnicity, data revealing political opinions, religious or philosophical beliefs, data concerning health or relating to the person's sexual orientation, and genetic or biometric data.

9 Right to privacy

9.1 Right to privacy refers to the concept that one's personal information should be protected from public scrutiny. It can also be referred to as the right to be left alone.