



# **TBI INTERNATIONAL (TBI)**

## **Code of Professional Conduct - Integrity policy**

18 December 2018

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### **INTRODUCTION**

TBI's code of professional conduct makes explicit what TBI expects from Tropenbos Network members (TNMs) and vice versa to achieve the mission of the TBI Network while using the highest ethical standards and preventing integrity violations.

All TBI Network members will be requested to accept the Code of Conduct in writing (see 'Implementation' below).

In this document, 'TBI' is used for 'TBI and the TNM'.

### **TBI CODE OF PROFESSIONAL CONDUCT**

TBI culture is based on trust, mutual respect, open communication and high standards of professional conduct, which are essential to achieve our mission. We rely on the good judgement of our employees and partners to comply with the law, to act with integrity and to safeguard TBI's reputation in every situation. TBI is a learning organisation, building upon lessons from the past and expanding successful approaches.

#### **General principles**

This Code of Professional Conduct refers to TBI and applies to TBI, affiliated organisations and all employees, regardless of the contractual basis of their employment. This also applies to independent third parties hired by or acting on behalf of TBI, in cases where TBI could be held responsible for their actions. These organisations and people are collectively referred to by the term "TBI associates" in this document. All TBI associates have an obligation to apply the same high standards and personal ethics everywhere in the world.

TBI associates should create and maintain a workplace culture with strong ethics and integrity. They should demand the highest ethical standards of themselves and others in line with the international standards for strict integrity.

Integrity starts with the employee himself or herself. A TBI associate has a position of trust, implying a duty to act in the interest of TBI.

To safeguard the integrity of TBI and hence the staff, the Code of Conduct has to be formalised. With signing the letter of appointment, TBI staff agree to act in accordance with the spirit of this Code of Professional Conduct. A copy of the Code of Conduct will be made available to each staff member.

## **INTEGRITY POLICY**

TBI wishes, on the basis of its core values, to be a dependable member of society. TBI activities aim to be relevant and not harmful to the interests of the countries and communities that they serve. Therefore, TBI wishes to account for its activities to the society and communities in which it operates.

TBI staff shall be attentive, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall at no time afford any undue preferential treatment to any group or individual or improperly discriminate against any group or individual, or otherwise abuse the power and authority vested in them.

In any contractual responsibilities, TBI will demand the subcontractor to comply with TBI integrity policies.

TBI Associates shall put everything in place to prevent unacceptable behaviour and violations of integrity. Such violations include:

1. Abuse of power (corruption, conflict of interest, leaking confidential information).
2. Financial violations (fraud, theft, culpable waste, illegal practices).
3. Interpersonal violations (discrimination, intimidation, bullying, unwelcome intimacy, sexual intimidation and violence).

### **1. Abuse of power (corruption, conflict of interest, leak of confidential information)**

#### **Corruption**

Bribery and corrupting public officials are serious crimes. International law regarding the corruption of public officials anywhere in the world has extraterritorial effect. It therefore applies to TBI associates who may, neither directly nor indirectly offer, promise, give, demand or accept bribes or other undue advantage to obtain or retain any improper advantage to or from anyone for any reason. TBI associates may not make use of third parties to use subcontracts, purchase orders or consulting agreements as a means of paying bribes to public officials, relations or their relatives.

#### **Giving or receiving gifts, gratuities and entertainment**

Gifts are often part of doing business. TBI staff should decline any gifts whose acceptance could raise suspicion of improper influence or conduct. TBI staff may not give or receive gifts that exceed customary courtesies common under accepted ethical practice. Gifts may never exceed (1) €50 and (2) 10% of the monthly gross salary of the staff member. Gifts or entertainment in exchange for favours or undue consideration must always be rejected.

TBI staff shall not solicit or receive directly or indirectly any gift or other favour that may influence the exercise of their functions, the performance of their duties or their judgement.

### **Conflict of interest**

TBI depends on the continued trust of its associates, suppliers and other stakeholders. Conflicts of interest, or the appearance of such conflicts, undermine TBI's good name. A conflict of interest arises in any situation in which TBI associates use their contacts or position within TBI to advance their personal, private business or financial interests, whether or not at the expense of TBI.

TBI associates must avoid any situation that would create a conflict, or appearance of conflict, between their private interests and the interests of TBI. Every TBI Associate is expected to disclose any (possible) conflict of interest regarding their position within the TBI Network.

Conflicts of interest can take many forms, and this code cannot specifically address all of them. It is the responsibility of each TBI Associate to use his or her judgement, integrity and personal ethical standards to prevent conflicts of interest. It is also the Associate's responsibility to consult TBI on situations that might be entirely proper but could potentially be perceived as a conflict of interest.

TBI Associates will abstain from working for or with organisations whose conduct and/or policies are incompatible with the objective of the TBI Network.

TBI associates shall at no time improperly use TBI moneys, property, services, networks or information that is acquired in the performance of, or as a result of, their official duties for activities not related to their official work.

TBI staff shall comply with measures established by law or by administrative policies in order that after leaving their official positions, they will not take improper advantage of their previous office.

TBI staff shall, in accord with their position and as permitted or required by law and administrative policies, comply with requirements to declare or to disclose personal assets and liabilities, as well as, if possible, those of their spouses and/or dependants.

### **Protecting confidential information**

TBI associates will not provide or withhold information that will lead to a preferred position of one of its partners.

Some information on TBI's activities, projects, strategies and business data is proprietary; e.g. personal data on TBI associates, students, partners, etc. Disclosure is only allowed with explicit permission of the owners of the personal data, including photographs and videos. Unauthorized

disclosure could damage TBI, Associates and partners or give unfair advantage to others. TBI expects its associates to respect and actively protect the confidentiality of this information.

Matters of a confidential nature in the possession of TBI staff shall be kept confidential unless national legislation, the performance of duty or the needs of justice strictly require otherwise. Such restrictions shall also apply after separation from service.

The General Data Protection Regulation (GDPR) of the EU (2018) restricts the use of personal data. It mainly protects all EU citizens from privacy and data breaches in an increasingly data-driven world. TBI applies the principles of GDPR in its mode of operation.

## **2. Financial violations (fraud, theft, culpable waste, illegal practices) and practices**

### **Keeping accurate records**

The integrity and completeness of record keeping is not only TBI policy but also law. We properly, accurately and fairly record our financial transactions. Management takes responsibility for the integrity of the records and uses external auditors to assist in fulfilling that responsibility.

TBI staff shall ensure that they perform their duties and functions efficiently, effectively and with integrity, in accordance with laws or administrative policies. They shall at all times seek to ensure that TBI resources for which they are responsible are administered in the most effective and efficient manner. All business transactions on behalf of TBI must be reflected accurately and fairly in the accounts.

TBI Associates will take responsibility for preventing, detecting and reporting all manner of fraud.

### **Honest practices**

TBI conducts its national and international activities honestly, based on principles of fairness, good faith and integrity, aiming for transparency and accountability. TBI values an open dialogue, provide and get honest feedback and treat everyone fairly, with honesty and objectivity.

TBI respects the laws, regulations and administrative practices of the countries and communities in which it operates, as well as fostering an understanding of their values.

TBI expects the same of Associates. No one at TBI has the authority to direct or authorize anyone to violate the law or the principles laid out in this Code of Professional Conduct.

TBI staff shall not use their official authority for the improper advancement of personal or financial interest of themselves, their family or any group to which they belong. They shall not engage in any transaction, acquire any position or function or have any financial, commercial or

other comparable interest that is incompatible with their office, functions and duties or the discharge thereof.

TBI staff, to the extent required by their position, shall, in accordance with laws or administrative policies, declare business, commercial and financial interests or activities undertaken for financial gain that may raise a possible conflict of interest. In situations of possible or perceived conflict of interest between the duties and private interests of TBI staff, they shall comply with the measures established to reduce or eliminate such conflict of interest.

### **3. Interpersonal violations (discrimination, intimidation, bullying, unwelcome intimacy, sexual intimidation and violence)**

TBI Associates will not tolerate harassment or discrimination. Specific attention has to be paid to sexual misconduct and abuse of power. TBI Associates are expected to take the responsibility to address those who misbehave regarding his/her behaviour and to offer full support to those who are abused.

Following the guidelines of the Dutch Ministry of Foreign Affairs, specific attention will be paid to (sexually) cross-border behaviour for which “zero tolerance for not acting” applies.

#### **Relationship with staff**

TBI strives towards a working environment in which people trust and respect one another, and in which everyone feels responsible for the achievements and reputation of TBI.

TBI solely recruits, hires and promotes staff on the basis of the capacities and skills required to perform the work at hand. Because the organisation must be able to trust that its (future) employee is honest and trustworthy, it is entitled to use a screening procedure on integrity and making the Certificate of good conduct mandatory. This will be announced on the TBI website and used for the recruitment process.

TBI wishes to create and maintain, and expects all staff to contribute to, safe and healthy working circumstances, both materially and immaterially. TBI will not engage in any form of forced or child labour, conform to ILO Conventions 29 and 105 (forced labour), 138 and 182 (child labour).

TBI aims to develop and expand each staff member’s capacities and skills. TBI respects the dignity of each individual and the right of all staff to free association. TBI provides for proper communication through procedures of information and consultation at all levels of the organisation.

Political or other activities of TBI staff outside the scope of their office shall, in accordance with laws and administrative policies, not be such as to impair public confidence in the impartial performance of their functions and duties in TBI. Where individuals wish to engage in activities

in the community, including standing for election to public office, they will be given the opportunity to do so.

TBI puts at the disposal of its staff the tools necessary to perform their duties. TBI staff members are expected to utilise these tools in the line of service exclusively and not to use them for private purposes. If TBI staff are allowed to use TBI equipment (e.g. cars, computers) for personal use, but this is only permitted if it does not conflict with any activity related to the implementation of the programme and with explicit permission of the Director of the TNM. Use of TBI equipment for commercial purposes is never allowed.

## **REPRESSIVE MEASURES**

### **Prevention cycle**

The first step to prevent integrity violations is to prepare the Code of conduct and make arrangements for implementation.

Repressive measures and possibilities to report abuse (see below) will already have a preventive effect by itself.

TBI, TNM and its management should gain insight into vulnerability functions and processes. They should also carry out a risk analysis and formulate measures against any form of integrity violation.

### **Reporting inappropriate, unethical or illegal conduct**

TBI strives to create a culture based on trust and individual responsibility. Nevertheless, Associates may encounter unethical or illegal conduct in relation to TBI activities. TBI is committed to providing a safe and fair way for Associates to report such conduct.

TBI Associates are expected to meet international standards for strict integrity and immediately report in case such practices occur. TBI Associates shall immediately notify TBI of any recurrence of such abuse and suspicions thereof observed during the execution of activities, including among subcontractors.

TBI embraces the principle of openness to ensure a better working integrity system. In case of reporting violations, TBI will do its utmost not to lose sight of the importance and rights of victims and (alleged) perpetrators.

To facilitate reporting of integrity violations, each TNM is expected to appoint an “integrity officer” to whom associates can refer to. If the violation is related to the Director of the TNM, TNM staff have the option to report to the TNM Chair or TBI director, anonymously if necessary. It is an obligation for the designated integrity officer to take appropriate follow-up action. But in any case, if concerns arise regarding abuse of power, financial violations and interpersonal violations, an employee should inform others, and preferably their supervisor or director.

TBI will actively support making use of an ombudsman to investigate complaints and attempt to resolve them through recommendations or mediation, or support national initiatives to appoint an ombudsman.

## **SPECIFIC TBI REQUIREMENTS**

### **Research integrity**

With research being one of the pillars of TBI, research integrity has highest priority. TBI adheres to the Netherlands Code of Conduct for Research. Although it is a 'Code of Conduct for researchers and institutions in the Netherlands it respects the scope of international framework documents (see page 8 of Code of Conduct). Researchers are required to act in accordance with this Code of Conduct.

[www.nwo.nl/en/documents/nwo/policy/netherlands-code-of-conduct-for-research-integrity](http://www.nwo.nl/en/documents/nwo/policy/netherlands-code-of-conduct-for-research-integrity)

### **The environment and sustainable development**

Given its commitment to the sustainable development of prosperity and well-being, TBI is much attached to a mindful interaction with nature and the environment. TBI is committed to steadily improving its control over the effects its activities may have on the environment and to developing long-term sustainable forms of operational management.

In this respect, TBI shall observe wherever necessary the principle of free, prior and informed consent (FPIC).

TBI is expected to act as a pioneer and serve as a model in issues related to the environment. TBI's behaviour should be in line with TBI's image of a 'green' organisation. TBI should abstain from unsustainable commercial activity in relation to tropical forests.

### **Respect for traditional and local knowledge**

TBI respects the importance of empirical knowledge built up over generations and grounded in practical evidence. It will follow emerging models for the protection of traditional knowledge, innovations and practices with the full and effective participation of indigenous and local communities, e.g. as developed in the framework of the Convention for Biological Diversity.

### **Intellectual property rights between TBI Associates**

TBI promotes a culture of openness and sharing of knowledge. At the same time, TBI makes efforts to protect the interests of researchers to publication, to protect vulnerable groups from exploitation and to protect confidential information made available to TBI by third parties. Intellectual property rights on data collected in the framework of joint projects will be primarily dealt with through contract. For any publication, partners will always request the written permission from the person responsible for the data collection.

Researchers wanting to publish synthesis papers will inform all participants about the proposed papers, and invite and include them as co-authors based on standard academic rules of co-authorship.

#### **FINAL REMARKS**

This Code of Conduct provides the overall guidance for performance. Although many topics are elaborated in detail, this document is not e exclusive.

In The Netherlands, TBI is member of Partos. Partos is developing an integrity policy for NGOs, and TBI actively participates in the design of this strategy.

#### **Implementation**

This Code of Professional Conduct is an integral part of the Agreement between TBI and the TNM. By signing the Agreement, the TNM declares that it is familiar with this Code and that will apply in the performance of its duties.

Each TBI associate will be provided with a copy of this Code of Professional Conduct as an annex to all contracts and agreements that TBI enters into. By his or her signature to such contracts and agreements, TBI associates declare that they are familiar with this Code and that they will apply it in the performance of their duties. If potential partners are not in a position to sign the Code of Conduct, they have to provide an explanation in writing. In such a case, TBI will only enter into a relationship with the partner if the written explanation is satisfactory, while the partner still meets the standards as intended in this Code of Conduct.