



Codes of Conduct

Melanie Lockwood Herman
Melanie@nonprofitrisk.org

What is a Code of Conduct?

- “Principles, values, standards, or rules of behavior that guide the decisions, procedures and systems of an organization in a way that (a) contributes to the welfare of its key stakeholders, and (b) respects the rights of all constituents affected by its operations.”

➤ SOURCE: 2007 International Good Practice Guidance, "Defining and Developing an Effective Code of Conduct for Organizations," International Federation of Accountants



What is a Code of Conduct?

- **Expression of morality**
 - What is right? What is wrong? Are there grey areas?
- **Tool for regulating human behavior**
 - Many tools don't work!



How are Codes of Conduct most often used in Nonprofit Organizations?

- **Responding to inappropriate action or behaviors**
 - Alternative to targeted discipline
- **Codifying accountability protocols**
 - If this, then that
- **Expressing desired minimum standards**
 - Supporting tool for accreditation, licensing
- **Signaling goals or aspirations**
 - We want our staff to behave this way



To Whom Might a Code Apply?

- Paid staff
- Volunteers
- Members of the Board
- Service recipients / participants (athletes)
- Members
- Parents of young participants



What Makes a Code of Conduct “work”?

Staff:

- Real risk of being fired (or punished) if you violate the code
- Perception that chances of being caught (and held accountable) are high
- Consistent adherence by the leaders of the organization



What Makes a Code of Conduct “work”?

■ Participants:

- Real risk of being suspended or deemed ineligible
- Perception that chances of being caught (and held accountable) are high
- Consistent application of the code – it applies to everyone and no one is above the rules

■ Volunteers:

- Pride
- Desire to fit in, perform at a high level, and contribute to a team



Common Challenges

- Inconsistent policies
- Overly complex policies or requirements
- Inconsistent enforcement of policies
- Lack of “common sense”



Code of Conduct Best Practices

- Timed appropriately
- Perfectly suited to the intended audience
 - Simple by design (“no hitting”)
 - Use familiar terms and references
 - Age-appropriate
 - Tuned / proper tone
- Clear and unequivocal
 - Standard + consequences of violating the code
- Voluntary agreement to comply



Let's look at a few sample codes

- Members of a profession
- Members of a Nonprofit Board
- Staff at a Youth-Serving Nonprofit (youth protection-oriented)
- Volunteers at a Youth-Serving Nonprofit
- Athletes/Participants

Purpose – *Aviators Model Code of Conduct*

Pilot conduct impacts the entire aviation community, including its safety culture. A code of conduct can help achieve new levels of proficiency. The AMCC is just such a tool, a set of guidelines that is adaptable to each pilot and organizational need. We encourage you to adopt it, and to commit to the highest principles of aviation safety.



Tools to advance aviation safety and professionalism

AVIATORS MODEL CODE OF CONDUCT

PRINCIPLES AND RECOMMENDED PRACTICE

I. GENERAL RESPONSIBILITIES OF AVIATORS

Pilots should:

- a. make safety the highest priority,
- b. seek excellence in airmanship,
- c. develop and exercise good judgment and sound principles of aeronautical decision-making,
- d. recognize and manage risks effectively, and use sound principles of risk management,
- e. maintain situational awareness, and adhere to prudent operating practices and personal operating parameters (e.g., minimums),
- f. aspire to professionalism,
- g. act with responsibility and courtesy, and
- h. adhere to applicable laws and regulations.

II. PASSENGERS AND PEOPLE ON THE SURFACE

Pilots should:

- a. maintain passenger safety first and then reasonable passenger comfort,
- b. manage risk and avoid unnecessary risk to passengers, to people and property on the surface, and to people in other aircraft,
- c. brief passengers on planned flight procedures and inform them of any significant or unusual risk associated with the flight,
- d. seek to prevent unsafe conduct by passengers, and
- e. avoid operations that may alarm, disturb, or endanger passengers or people on the surface.

VII. ADVANCEMENT AND PROMOTION OF AVIATION

Pilots should:

- a. advance and promote aviation safety and adherence to the Code of Conduct,
- b. volunteer in and contribute to organizations that promote aviation, and use their skills to contribute to society at large—and encourage other pilots to do so as well,
- c. demonstrate appreciation for aviation professionals and service providers,
- d. advance an aviation culture that values openness, humility, positive attitudes, and the pursuit of personal improvement,
- e. promote ethical behavior within the aviation community, and
- f. mentor new and future pilots.

Code of Conduct for a Nonprofit Board

- Simple statements beginning with “I will” and “I won’t”
- Customized to the organization



As a member of the Board I will...


- Listen carefully to my fellow board members
- Respect the opinions of other board members
- Respect and support the decisions of the board, including in cases where I voted “no”
- Recognize that all authority is vested in the board as a whole and not with individual board members
- Keep informed of developments that are relevant to issues that may come before the board

As a member of the Board I will...

- Participate actively in board meetings, come to meetings with an open mind and sincere interest in... engaging in dialogue with my fellow board members
- Call to the attention of the board any issues that I believe will have an adverse or beneficial impact on the mission or programs
- Refer complaints from stakeholders to the appropriate persons in the chain of command
- Represent all stakeholders and not a particular special interest group
- Consider myself a trustee and do my best to ensure that the nonprofit is financially secure, healthy and operating in pursuit of its mission

As a member of the Board I will not...

- Be critical, in or outside of a board meeting, of other board members or their opinions. This does not restrict me from respectfully disagreeing with another board member.
- Use the organization or its assets for my personal advantage
- Discuss the confidential proceedings of the board outside a board or committee meeting
- Promise—prior to a board meeting—how I will vote on any issue being brought before the board
- Interfere with the duties of or undermine the Executive Director



Typical components
of a youth-
protection oriented
Code of Conduct
(STAFF)

SAMPLE Staff Code of Conduct

“Two deep leadership” / “Second Set of Eyes”

- At no time may a staff person be alone with a single child where they cannot be observed by others. As staff supervise children, they should arrange themselves in a way that other staff can see them.
- Staff should conduct or supervise private activities in pairs. When this not feasible, staff should be positioned so that they are visible to others.
- Staff will make sure the restroom is not occupied by suspicious or unknown individuals before allowing children to use the facilities. Staff will stand in the doorway while children are using the restroom.



SAMPLE Staff Code of Conduct

Prohibited Conduct

- Staff shall never leave a child unsupervised.
- Any type of abuse will not be tolerated and may be cause for immediate dismissal.



SAMPLE Staff Code of Conduct



Staff as Role Models

- Staff will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact and maturity.
- Staff must appear clean, neat and appropriately attired.
- Staff will refrain from intimate displays of affection toward others in the presence of children, parents and staff.
- Using, possessing or being under the influence of alcohol or illegal drugs during working hours is prohibited.
- Smoking or use of tobacco in the presence of children or parents during working hours is prohibited.

SAMPLE Staff Code of Conduct



Touching and Taboo Subjects

- Staff will respect children's rights to not be touched in ways that make them feel uncomfortable, and their rights to say no. Other than diapering, children are not be touched on areas of their bodies that would be covered by a bathing suit.
- Profanity, inappropriate jokes, sharing intimate details of one's personal life and any kind of harassment in the presence of children or parents is prohibited.

Out of Work Conduct / Boundaries

- Staff may not be alone with children they meet through the nonprofit's programs. This includes babysitting, sleepovers and inviting children to your home. Any exceptions require a written explanation before the fact and are subject to administrator approval.
- Staff are not to transport children in their own vehicles.
- Staff may not date program participants under 18 years of age.
- Under no circumstances may a member of the staff post identifying information or photos of young participants on their personal webpage or any other public domain on the internet not authorized by the nonprofit.



“What to do if...”

- If a staff member is contacted by a young participant, the staff member can choose to respond either by ignoring the overture or sending a brief reply indicating that online communication with children is not allowed.
- If a staff member is contacted online by a young participant, the staff member will report such contact to their immediate supervisor or the Executive Director within one work day.



Discipline

- Staff must use positive techniques of guidance, including redirection, positive reinforcement and encouragement rather than competition, comparison and criticism. Staff will have age-appropriate expectations and set up guidelines and environments that minimize the need for discipline.



- Physical restraint is used only in pre-determined situations (necessary to protect the child or other children from harm), is only administered in a prescribed manner and must be documented in writing.

Other Provisions

- Staff must be free of physical and psychological conditions that might adversely affect children's physical or mental health. If in doubt, an expert should be consulted.
- Staff will treat children equally regardless of sex, race, religion and culture.
- Staff will conduct a health check of each child, each day, as they enter the program, noting any fever, bumps, bruises, burns, etc. Questions or comments will be addressed to the parent or child in a non-threatening way. Any questionable marks or responses will be documented and, if appropriate, reported to the proper authorities according to the Mandated Reporting Procedures.

Volunteers

- Codes of Conduct are increasingly common
- It's ok to hold volunteers accountable!
- Do your volunteers abide by rules and policies 100% of the time?



SPECIAL OLYMPICS VOLUNTEER CODE OF CONDUCT

Special Olympics is committed to the highest ideals of sport and expects all volunteers to act in a manner that both contributes to the overall mission of Special Olympics and follows Special Olympics Virginia policies. All Special Olympics Volunteers agree to observe the following code of conduct:

RESPECT FOR OTHERS

- I will respect the rights, dignity and worth of athletes, coaches, other volunteers, friends and spectators in Special Olympics.
- I will treat everyone equally regardless of sex, ethnic origin, religion or ability.
- I will be a positive role model for the athletes.
- I will respect the property of hotels, dormitories, athletic facilities and dining facilities.

Volunteers Face the Public

ENSURE A POSITIVE EXPERIENCE

- I will ensure that Special Olympics is a positive experience for the athletes.
- I will be fair, considerate and honest with athletes and communicate with athletes using simple, clear language.
- I will instruct each athlete to perform to the best of the athlete's ability at all preliminary competitions and final competitions in accordance with the Official Special Olympics Sports Rules.



ACT PROFESSIONALLY AND TAKE RESPONSIBILITY FOR MY ACTIONS

- I will provide for the general welfare, health and safety of any Special Olympics athlete in my charge during the course of my assigned duties.
- My language, manner, punctuality, preparation and presentation will demonstrate high standards.
- I will display control, respect, dignity and professionalism to all involved in the sport (athletes, coaches, opponents, officials, administrators, parents, spectators, media, etc.).
- I will encourage athletes to demonstrate the same qualities as above.

Strictly Prohibited Conduct

- I will not smoke or chew tobacco at any Special Olympics training or competition site except in designated areas.
- I will not drink alcohol or take illegal drugs while representing Special Olympics at any Special Olympics event, training or competition.
- I will refrain from any form of personal abuse towards athletes and others, including inappropriate or unwanted sexual advances on others, verbal, physical and emotional abuse.
- I will be alert to any form of abuse from other sources directed toward athletes in my care.
- I will report any emergencies to the appropriate authorities after first taking immediate action to ensure the health and safety of the participants.
- I will abide by the Special Olympics policy on the prohibition of coaches dating athletes.
- I will not engage in sexual activities during any Special Olympics training or at competitions.

QUALITY SERVICE TO THE ATHLETES

- I will assist to provide the highest quality event possible.
- I will be a positive role model for the athletes in the program.

HEALTH AND SAFETY OF THE ATHLETES

- I will assist in ensuring that the equipment and facilities are safe to use.
- I will encourage athletes to seek medical advice when required.
- I will maintain the same interest and support towards sick and injured athletes as healthy athletes.
- I will allow further participation in training and competition after an illness or injury only when appropriate.
- I will assist when necessary making sure that prescribed medications and over-the-counter medications are taken at the proper times according to instructions given by the parent/guardian.

Athlete Code of Conduct – Preamble

USA Track & Field (USATF) is committed to providing a safe sport that maintains only the highest ethical and honorable standards. As the national governing body for track and field, long distance running, and race walking, USATF has developed the following Code of Conduct to hold Athletes to those standards. USATF hereby adopts the following Code of Conduct to govern Athletes. **A member athlete agrees to abide by this Code of Conduct, and shall not evade, violate, or circumvent, whether directly or indirectly, this Code of Conduct.**

Preamble

- USATF drives competitive excellence and popular engagement in our sport. USATF grants the **privilege of membership** to athletes committed to this mission. This membership is a privilege, not a right. Therefore, membership may be withdrawn by USATF at any time if USATF determines that a member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.
- **USATF maintains a position of high visibility in the Olympic family and athletics community.** Athletes who compete in USATF events may be seen by the public as representatives of the organization. Athletes and members are representatives of the organization and should act accordingly.

All Athletes are expected to:

- Be knowledgeable and abide by USATF Bylaws and Regulations, Code of Ethics, Competition Rules, and other USATF policies, procedures and guidelines. Also, if applicable, athletes shall adhere to the terms contained in the USATF National Team Athlete Statement of Conditions and the USATF Athlete Agreement.
- Be subject to the jurisdiction of the International Association of Athletics Federations (IAAF), United States Olympic Committee (USOC), and the United States Anti-Doping Agency (USADA), as applicable.
- Treat others fairly and with respect in accordance with all applicable USATF policies and procedures.

- Create and maintain an atmosphere free from physical, emotional, and sexual abuse and harassment in accordance with all applicable USATF policies and procedures.
- *Respect confidential information in accordance with all applicable USATF policies and procedures.*
- **Never use an affiliation with USATF in connection with the promotion of political party, religious matter, or other issue not conforming to the position of USATF that may fall within prohibited conduct under the USATF Code of Ethics, Policy on Conflicts of Interest (C).**
- Act in a sportsmanlike manner consistent with the spirit of fair play and responsible conduct toward coaches, officials, fellow competitors, volunteers, and the public.

Note: Emphasis is mine!

- **Maintain a level of fitness and competitive readiness that will permit performance to be at the maximum of the Athlete's ability.**
- Refrain from possession or use of alcohol, tobacco products, or controlled substances while participating in competition.
- **Not commit, or aid or abet any individual in committing any doping offense as defined by the World Anti-Doping Agency (WADA), United States Anti-Doping Agency (USADA), International Association of Athletics Federations (IAAF), International Olympic Committee (IOC), United States Olympic Committee (USOC), or USATF rules and regulations.**
- Refrain from and prevent others from altering, distorting, removing, or covering up the sponsor logo or supplier on the Athlete's USATF national team uniform items in any photograph, video, or image.
- Be aware that USATF sponsors and suppliers provide critical support, and recognize this support.

- Grant to USATF at or during any USATF events or related activities the right to use the Athlete's name, likeness, image, photograph, video, biographical information and/or any other identifying characteristics for any uses or purposes that publicize and promote USATF, or any of its events, activities or businesses throughout the world in any media platform.
- Provide advance notice to USATF regarding cancellation of travel or inability to adhere to any USATF planned travel arrangements.
- Act respectfully toward the property of others, members of any USATF team, members of other teams, spectators, officials, volunteers, staff, etc.
- Avoid profane or abusive language and disruptive behavior.
- Abide by and adhere to all applicable state, federal, and international laws.

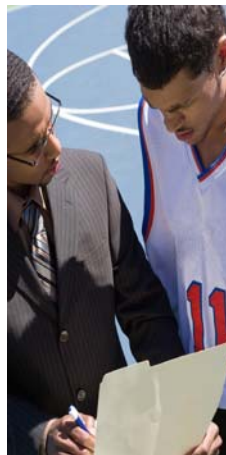
Accountability

- Athletes are expected to act in an appropriate manner at all times according to this Code of Conduct and other USATF policies. USATF will deal with situations when athletes do not follow the guidelines for conduct on an individual basis, according to its view of the circumstances involved. **In the event an Athlete violates this Code of Conduct, the Athlete may be subject to a disciplinary hearing as specified in Regulation 21 of the USATF Operating Regulations.**

Note: Emphasis is mine!

Enforcing a Code of Conduct

- Determine “who” will enforce the code and “how” you will enforce the code before you need to
- Act swiftly
- Refer to specific provisions of the code

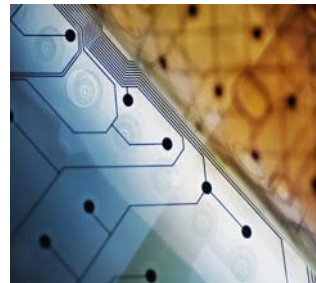




When NOT to use a Code of Conduct

Code of Conduct Homework Assignment

- If you don't currently use a code of conduct for your board, staff, volunteers and athletes, what are the most compelling to do so?
- If you decide to develop a code, what are the three top goals or rules you'll follow?



Code of Conduct Homework Assignment

- Take a closer look at your existing code(s) of conduct
- Ask:
 - What is the primary purpose of the code? Has that purpose been met by its use? If not, why?
 - Does the code meet the “best practice” test?



Thank you!

- Melanie Lockwood Herman
- Executive Director
- Nonprofit Risk Management Center
- (202) 785-3891
- Melanie@nonprofitrisk.org