

CODE OF CONDUCT

FIIAPP



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1. INTRODUCTION

The International and Ibero-American Foundation for Administration and Public Policies (hereinafter, FIIAPP) is a public institution at the service of the state's foreign aid in the context of international development cooperation, and therefore acts in accordance with the guidelines of Spanish Cooperation. However, the regulations, laws and policies in these guidelines do not cover every issue that a professional might be involved in in their day-to-day activity. Due to this, presented below is a code of conduct for all of the professionals who provide the institution with their services, which is based on the values and principles thereof. In addition to understanding the Code of Conduct's guidelines, FIIAPP professionals must also understand the principles underpinning these. Whilst the Code provides extensive guidance on integrity and conduct, no code can ever cover every situation the worker might face. This Code therefore does not replace the responsibility and obligation of all professionals to apply sound judgement in all of their activities.

These principles of ethical conduct should guide the professional activities of FIIAPP's contracted workers and employees. These include:

- Commitment to the job
- Compliance with and adaptation to standards
- Respect for and tolerance of diversity
- Gender equality and cultural diversity
- Transparency
- A calling for public service

The scope of the Code of Conduct includes all those who are linked to FIIAPP through a professional relationship, whether commercial, civil or through employment.

It will be applied to all workers with a work relationship, regardless of whether they provide their services in Spain or abroad. It will also apply to persons who maintain a Foundation scholarship relationship through the Educational Collaboration Agreement, and to personnel hired to provide consulting, advisory, training, or any other services who have a professional relationship with FIIAPP, during the period in which they are linked to the institution.

This code will also be a reference for persons who directly, or through other companies, provide services to FIIAPP to meet their objectives.

2. CODE OF CONDUCT

The objective of this code of conduct is “to guide the daily behaviour of any FIIAPP professional, establishing behaviour guidelines that should govern the way they act

during the performance of their professional duties, regardless of their position or where they carry out their work".

The behavioural guidelines described below are mandatory in the performance of daily work by all persons included within the scope of this Code.

Given the diversity of situations and circumstances deriving from its day-to-day activities, it will be the Code of Conduct Commission, created for these purposes, which will specifically determine how the Code will be applied in practice, with the Directorate of FIIAPP being responsible for establishing such penalties that might apply.

In the event that disciplinary responsibilities result from conduct, behaviour or inaction on the part of persons subject to this Code, the matter will be transferred to the Directorate of FIIAPP to assess whether or not disciplinary measures are appropriate.

The decisions taken by the Commission may include penalties proposed based on the seriousness of the events and the classification of the misconduct.

The misconduct will be classified as minor, serious and very serious, according to the criteria of intent, carelessness or negligence, damage to the public interest or to third parties and repetition or recidivism.

2.1. Ethical and professional behaviour

FIIAPP professionals must act in accordance with the principles of loyalty and good faith in all of their relationships, both internal and external, whether with funders, suppliers or beneficiaries in general.

Their professional conduct must be based on the aforementioned principles, whilst always seeking to promote the general interest and compliance with the entity's objectives, fostering promotion of Spanish Cooperation and FIIAPP's statutory purpose.

FIIAPP professionals will use the resources made available to them (telephones, computer equipment, photocopiers, courier services or taxis, etc.) exclusively for professional matters.

Internet connections should not be used for personal purposes and the extraction of information (downloading content) is not allowed if it does not come from the public domain or is not proper or appropriate for issues pertinent to work.

Email messages must be professional and appropriate to the circumstances. Emails that are abusive, obscene, offensive or foul are not allowed.

2.2. Respect for legality

No employee shall knowingly collaborate with others in breach of any law, or take part in any actions that compromise respect for the rule of law.

The entity will respect and abide by any judicial and / or administrative resolutions issued in this regard. Any substantiated questions that may arise regarding the interpretation and application of current legislation will be consulted with the Department of Legal Counsel, and if necessary, with the State Legal Service.

FIIAPP undertakes to comply fully and in good faith with all legal obligations in every country where it undertakes any activity.

FIIAPP professionals must comply in full with the laws of any countries in which they perform activities, avoiding any conduct that might harm the reputation of the Foundation in the opinion of the local community, the government of the country or other bodies, negatively impacting its business or image, even if such behaviour is not illegal.

In the same way, the applicable national legislation and the internal procedures and standards of the Foundation will be respected.

2.3. Relations with public administrations

FIIAPP professionals undertake to respect the provisions of section 2.1 in all lobbying activities, and to act ethically and professionally. They also undertake not to put at risk the decision-making capacity of the funders through actions that infringe the laws on incompatibility.

Under no circumstances shall specific favours be granted to particular individuals to improve relationships with public administrations. No gifts or presents shall be given in contravention of this Code of Conduct.

No Foundation employee or collaborator shall exploit their special relationship with persons belonging to public bodies for their personal benefit or the benefit of others. Under no circumstances may special treatment be requested or accepted from any public administration or private entity for private benefit, whether to speed up administrative processes, obtain recommendations, influence deadlines, exemptions from fines, and so on.

2.4. Equality

FIIAPP professionals must be respectful, fostering a comfortable, healthy and safe working environment. They must avoid any behaviour that is aggravating or that might represent discrimination on the grounds of race, religious or political beliefs, union membership, sexual orientation, nationality, language, gender, civil status, age or disability. They shall not under any circumstances indulge in sexual harassment, abuse of position, offensiveness or any other form of aggressiveness or hostility that might foster a climate of intimidation.

Actions that may constitute sexual harassment or workplace bullying, once such harassment protocols have been developed, will be treated in accordance with the procedure established therein.

2.5. Conflicts of interest

FIIAPP accepts limited participation by its employees in activities (whether business or not) other than those that they perform for it, providing that these are legitimate and do not conflict with their dedication and responsibilities as employees. All FIIAPP employees must always act in good faith and in the interests of the entity, in compliance with their responsibilities.

Any situations that might give rise to conflicts between personal interests and those of FIIAPP must be avoided. Employees must abstain from representing the Foundation or taking decisions in any situation in which they or a close family member have a direct or indirect personal interest.

FIIAPP employees who might be affected by a conflict of interest must disclose this to their area manager in advance, so that appropriate decisions can be taken for each circumstance.

Those who have some influence on the purchase of materials or services, or in procurement processes and / or committees, should not engage in personal investments related to them.

2.6. Gifts and presents

Irrespective of their position, FIIAPP employees may not accept gifts, presents, services or other favours of any type from any person or entity that might affect their objectivity or influence a commercial, professional or administrative relationship. Likewise, they may not offer gifts, services or other favours of any type, whether directly or indirectly, to entities that manage aid, or any other person or entity that has, or might have, a relationship with the Foundation, in order to illicitly influence that relationship.

Gifts and presents will be permitted under this rule if they meet the following requirements:

- they must respect the ethical principles of the cultures involved, and the country's internal regulations.
- they must not infringe FIIAPP's ethical values or transparency.
- they must not damage the Foundation's image.

- they must be given or received in the course of normal commercial practices or under generally accepted social customs of courtesy, and be of only symbolic or economically insignificant value.
- those that do not exceed the amount of € 100.

Gifts and presents offered and received by FIIAPP employees that do not comply with the requirements of this rule are not permitted and must therefore be turned down or returned, providing this would not represent a serious insult to the person or entity offering the gift. In the latter case, the Department Head must be informed, who will organise a draw among the team members of the gifts received.

2.7. Confidentiality

FIIAPP professionals must act with due discretion on all issues that may not be disclosed legally, and any issues of which they become aware as a result of their work, and may not use such information for their own benefit, or the benefit of others, or in prejudice of the general interest.

Any use or disclosure of confidential or reserved information for personal purposes would therefore contravene this Code of Conduct.

Any employee who suspects a leakage of reserved or confidential information, or usage of such for personal purposes, must report this to their line manager, and where circumstances so require, to FIIAPP's Data Protection Officer and to its Code of Conduct Committee.

Any accountable person who has knowledge about it must notify said committee in writing. All reserved and confidential information, including documents and physical and electronic storage mediums, must be returned to FIIAPP in the event of termination of the employment or professional relationship.

FIIAPP workers commit to comply with the provisions of the internal circular on Data Protection, Confidentiality, Secrecy and Information Security.

2.8. Transparency of Information

FIIAPP considers information transparency to be a fundamental principle applicable to everything it does. It will guarantee that all information communicated to others by the Foundation is truthful and communicated respecting the schedules and requirements set down in applicable regulations and the general operating principles of Foundations and good governance.

This principle of information transparency and accuracy shall also apply to internal communications. FIIAPP employees undertake to communicate information accurately, both internally and externally. Under no circumstances shall any information be provided that is incorrect, incomplete or inaccurate, or that might confuse the recipient.

Any documents and statements signed by FIIAPP employees must be rigorous, truthful and accurate.

Public communications must not harm the reputation of the organisation or that of its employees, they may not violate the duty of confidentiality or impair relations with partners.

2.9. Anti-corruption measures

FIIAPP employees shall not offer or make any payment in cash or in kind, or provide any other benefit, whether directly or indirectly, to any person in the service of a public or private entity, political party or candidate for a public office, with the intention of illicitly obtaining or maintaining business or other advantages.

They shall not offer or make any payment in cash or in kind, or provide any other benefit, whether directly or indirectly, to any person with the intention of influencing them to abuse their real or apparent influence so as to obtain business or other advantages from a public or private entity.

FIIAPP employees shall not make any payments in exchange for ensuring or facilitating the proceedings or actions of any judicial body, public administration or official body, through the delivery of cash or other objects of value, of whatever amount.

3. ACTION IN THE EVENT OF BREACHES

The ethical behaviour set down in this Code of Conduct underpins the commitment of FIIAPP personnel to its Board of Trustees, funders, public administrations, suppliers, employees, beneficiaries and society in general.

FIIAPP shall foster compliance with this regulation by promoting it and providing specific training for its employees, and through its monitoring and compliance system.

FIIAPP employees must report any non-compliance or breaches of this Code of Conduct to the head of their area or department. They may also report such incidents to the “Code of Conduct Committee”, which is responsible for managing the monitoring and compliance system, regarding any query, interpretation of the document or any infringement thereof.

The FIIAPP will not admit any kind of reprisal against those employees who report breaches in good faith, and will sanction, in accordance with the labour standards in effect, (Collective Agreement and Workers’ Statute) those breaches or violations that constitute labour offences, without prejudice to other responsibilities that may arise and such sanctions may be proposed for this purpose by the Code of Conduct Committee.

4. ADDITIONAL CONSIDERATIONS

4.1. Effectiveness

This Code of Conduct will be regularly reviewed and updated in response to the needs of the Foundation and suggestions and proposals from its professionals.

4.2. Acceptance and compliance

All professionals who work for, or who join, the entity must expressly accept the Code of Conduct's principles, values and standards of practice.

The FIIAPP Intranet will contain both the current text of the Code of Conduct, as well as the regulation, with the understanding that access to the Foundation's network of systems implies knowledge thereof.

4.3. Communication Plan

A comprehensive communication campaign will be used to ensure that this Code of Conduct is adequately known and understood. The main objective of this campaign will be to emphasise that all employees must comply with the Code of Conduct, raising awareness of the existence of the Code of Conduct Committee, which will be responsible for ensuring compliance.

4.4. Internal Control System

The checks carried out under the Code in the Foundation's areas should be reviewed going forward to address any aspects related to the Code. The establishment of a Code of Conduct Committee to ensure the Code is updated regularly and complied with is to be recommended.

4.5. Guidance on integrity

FIIAPP professionals should address any doubts about the Code of Conduct to their line manager or the Code of Conduct Committee.

All concerns will be carefully examined by the Code of Conduct Committee and dealt with confidentially.

5. THE CODE OF CONDUCT COMMITTEE

The Code of Conduct Committee is responsible for ensuring knowledge of, and compliance with, the Code of Conduct, ensuring it is fully understood by all FIIAPP employees. In addition, it is responsible for resolving any doubts and queries that may arise in relation to the Code of Conduct, as well as deciding on any violations and, where appropriate, penalties arising from any breach thereof.

A. Composition:

The Directorate of FIAPP will designate seven people of recognised honesty, integrity and rectitude to be part of the Conduct Committee, one of them being proposed by the Works Committee from amongst its members and another belonging to the HR department.

Of the seven people, two of them will have the status of substitutes and will be part of the meetings if any of the members are absent.

The persons proposed to be part of the Conduct Committee must accept their appointment and may resign by communication to the Directorate of FIIAPP.

B. Functioning:

The Committee will meet periodically to propose modifications, measures to disseminate the Code, as well as to ensure compliance and knowledge on the part of workers.

The Committee will meet:

- at least twice a year
- when requested by any of its members
- when there is any complaint

It will also assess any questions about and potential breaches of the Code of Conduct. The Committee will appoint an investigating official to analyse any potential breaches and present these to the other Committee members. The Committee will be required to issue an opinion in all such cases, both for questions and for potential breaches, unless these do not fall within the remit of the Code.

The Committee's decisions will be considered by the Directorate of FIIAPP, which will take the appropriate measures to ensure dissemination and the applicable penalties.

The Committee may propose penalties as a result of the violation of a provision of the Code of Conduct, describing such infringement as minor, serious or very serious, with the Directorate of FIIAPP being responsible for the imposition of the penalty in accordance with the applicable regulations.

All Committee meetings must be documented through official minutes, detailing the agenda, presentations and decisions. The Committee as a whole will be responsible for these minutes, which may be delegated to the HR representative.

The deliberations and individual opinions expressed in the Committee meeting - but not its decisions and recommendations - are confidential.

C. Constitution

The Code of Conduct Committee must be set up within 2 months of approval of the Code of Conduct.

D. Receipt of communications and / or complaints

If you want to make a query or complaint, you should send it via email to Codigo.de.Conducta@fiiapp.es.

In the case of a complaint, it will be communicated along with the provision of supporting documentation to any of the members of the Conduct Committee.

The documentation will be available directly to the members of the Committee, who will have a secure place with sufficient security guarantees in which to file all the documentation related to the complaints received.

The Committee acts independently and must comply with strict rules of independence and confidentiality. Thus:

- It must not disclose the identity of employees who file a complaint unless expressly approved to do so by them.
- With the prior consent of the employee, it can make inquiries and carry out investigations to determine the events underlying the problem.
- It should examine each situation as objectively as possible and treat the parties equally.

RULES OF PROCEDURE OF THE CODE OF CONDUCT COMMITTEE

1. Functions

The Conduct Committee is entrusted with the following functions:

- ✓ To promote dissemination, knowledge and compliance with the Code
- ✓ To establish the appropriate communication channels so that any FIIAPP professional can gather or provide information on its fulfilment, guaranteeing at all times the issues' confidentiality, whether or not the latter concerns the processing of complaints.
- ✓ To interpret regulations emanating from the Code and supervise their application.
- ✓ To guarantee the veracity and equanimity of any proceedings initiated, as well as the rights of the persons allegedly involved in a possible breach.

2. Purpose and Scope of application

The purpose of these rules of procedure are to establish the basic principles of the internal management, investigation and response system when communicating queries and complaints to the Code of Conduct Committee.

These rules of procedure shall apply except for those behaviours that may have a special specific procedure established for this purpose.

The management of the internal procedure regulated in these rules corresponds to the Conduct Committee, which must therefore interpret any doubts that may arise in its application, as well as proceed to its revision when necessary to update its content.

From a subjective point of view, the scope of these rules extends to all FIIAPP professionals, employees, managers and collaborators.

From an objective point of view, complaints will refer both to the actions of FIIAPP professionals that violate the basic principles of action of the Code of Conduct, as well as to events from which criminal responsibilities could derive for the accused or for FIIAPP.

3. Initiation of proceedings

The communication of complaints or queries can be undertaken through two different channels:

- ✓ To the email address provided for this purpose Codigo.de.Conducta@fiiapp.es
- ✓ By informing the person directly in charge of the team or area, who must immediately provide the Conduct Committee with the information received.

Such communications of complaints or queries must always be made under criteria of truthfulness and clarity, and should never be used to achieve objectives other than those established in the Code of Conduct.

The Code of Conduct Committee guarantees its commitment to the absolute confidentiality of the personal data of the complainant, as well as the total absence of reprisals. All persons, who in the course of the procedure have to be aware of the content thereof, never its authorship, are subject to a confidentiality commitment.

The procedure will ensure that the identity of the complainant is kept confidential at all stages of the processing of their personal data, so that it can never be disclosed to the complainant.

The accused should be informed, as soon as possible, of the following points:

- ✓ The grounds of the accusation.
- ✓ The departments and services that could be involved or affected. However, in cases where such communication entails a risk of manipulation or elimination of the evidence necessary for the investigation on the part of the accused, jeopardizing the ability of the Conduct Committee to investigate, the communication may be delayed up to a maximum of three months from receipt of the complaint.

Preliminary analysis:

Among the members of the Conduct Committee, an investigating official will be appointed to lead the proceedings.

Any member of the Conduct Committee may abstain or be removed by the Conduct Committee itself, if they find themselves in a situation of incompatibility or conflict of interests.

Upon receipt of any communication, when the Conduct Committee considers that the information submitted is not clear, relevant or complete, it will ask the sender for a detailed extension or clarification thereof, referring to specific aspects.

At that time, it will not be necessary to have exhaustive information on the grounds of the complaint or query, but only that strictly necessary for the preliminary analysis.

Once the preliminary analysis is complete, the investigating official, after internal consultation with the other members of the Committee and after a majority decision thereof, will proceed to:

- ✓ Answer the queries received
- ✓ Notify the complainant of the start of investigative proceedings
- ✓ Communicate to the complainant the filing of the proceedings when the information submitted does not fall within the scope of the Competencies of the Conduct Committee.

Only complaints in which the complainant is clearly identified are accepted. Anonymous complaints will not be accepted for processing.

Initiation of the investigation

If the result of the preliminary analysis evidences the existence of actions that may violate the basic principles of the Code of Conduct, investigative proceedings will begin and the complainant will be informed thereof.

The objective of the proceedings will be the clarification of the grounds of the complaint and the identification of those responsible.

The collection of information is the first stage of the investigation process, which must be carried out in an objective and exhaustive manner, in order to identify and dismiss complaints made by interested parties or malicious complaints.

The Conduct Committee will assess which persons should collaborate in the investigation procedure, being able in this regard, to request the attendance of any employee.

An appropriate selection of persons or departments whose attendance is requested in this phase will be carried out. Discretion, impartiality, knowledge of the subject and effectiveness should preside over this selection. If necessary, persons who, due to being directly affected by the grounds of the complaint, compromise the objectivity or the result of the investigation, will be removed from the proceedings.

Implementation of the proceedings

The detailed report of all the actions that have been carried out and of all the documents that have been collected to obtain sufficient and adequate evidence will be included in the proceedings.

All information, statements and background information received will be checked. An adequate verification process of the foregoing will determine not only the veracity of the analysed events but also the risk that is being faced.

The investigating official of the proceedings may carry out such actions they deem appropriate for this purpose, coordinating their actions with the other members of the Conduct Committee. Communications and consultations between the members of the Committee, during the entire proceedings, may be recorded by analogue or digital means.

Report of conclusions and recommendations

Once all the investigations have been completed, the Conduct Committee will prepare a report of conclusions and recommendations that will include the following points:

- a) Place, time and nature of the grounds of the complaint.
- b) Identification of the complainants and defendants, as well as the teams or areas to which they belong.
- c) List of the actions taken, of the appearing parties and of the evidence obtained in the investigation process.
- d) Assessment of the findings of fact, being able to propose, where appropriate:

i. The closing of proceedings, if the Conduct Committee considers that the findings do not constitute a violation of the Code of Conduct.

ii. The continuation of proceedings, if it is considered that based on the investigations the commission by the accused of an act contrary to the basic principles of the Code of Conduct has been proved, with the Directorate of FIIAPP being able to urge the application of disciplinary measures.

e) Recommendation of organisational, preventive measures and controls deemed appropriate to prevent such infraction occurring again.

Conclusion of the proceedings

The report of conclusions and recommendations of the Conduct Committee will be immediately communicated to the Directorate of FIIAPP, as well as to the complainant.