

CODE OF CONDUCT

**OF THE INSTITUTION OF THE
SISTERS HOSPITALLERS**

CONGREGATION OF THE
SISTERS HOSPITALLERS OF THE
SACRED HEART OF JESUS

General Government, Rome 2017

CODE OF CONDUCT

**OF THE INSTITUTION OF THE
SISTERS HOSPITALLERS**

ORGANISATION & MANAGEMENT N° 10

CONTENTS

P	PRESENTATION	7
1	THE INSTITUTION OF THE SISTERS HOSPITALLERS	11
2	NATURE AND SCOPE OF THE CODE	13
3	PRINCIPLES UNDERPINNING THIS CODE	17
	3.1 Human rights.....	17
	3.2 The Teaching of the Church	18
	3.3 The Institution’s Identity Framework.....	19
4	GENERAL GUIDELINES FOR CONDUCT	21
	4.1 The dignity of every Person	21
	4.2 The centrality of the person in our care.....	22
	4.3 Equality and nondiscrimination.....	22
	4.4 Privacy and data protection.....	23
	4.5 The Institution’s commitment.....	24
	4.6 The responsibility of Co-workers.....	24
	4.7 Ethical practice in institutional relations	25
	4.8 Respect for the working environment.....	25
	4.9 Social and environmental responsibility.....	26
	4.10 Transparent communications.....	26

5

RESPONSIBLE BEHAVIOUR AND PRACTICES27

- 5.1 Applicable rules27
- 5.2 Care and education28
- 5.3 Resource management29
- 5.4 Conflicts of interest30
- 5.5 Employment obligations31
- 5.6 Relations with suppliers33
- 5.7 Relations with society35
- 5.8 Personal relations36

6

COMPLIANCE WITH THE CODE39

- 6.1 Dissemination and training/formation39
- 6.2 Oversight and monitoring body40
- 6.3 Compliance procedures41
 - 6.3.1 *Submission of reports and complaints*41
 - 6.3.2 *Waiver procedure*43
 - 6.3.3 *Procedural guarantees*44
- 6.4 Repercussions outside the Institution45

7

REVISING AND UPDATING THE CODE47

PRESENTATION

A Code of Conduct is a document in which an entity lays down a set of principles for behaviour within and without the entity. For the Institution of the Sisters Hospitallers and the activities they perform as their Hospitaller mission, the Code of Conduct is binding on everyone, based on their identity and the values enshrined in the 'Identity Framework of the Institution'.

The objectives set out in this Code of Conduct constitute the culture of the Hospitaller Mission of the Congregation of Sisters Hospitallers of the Sacred Heart of Jesus, and govern the professional conduct of all the people working in their centres' care and educational facilities, and is to be disseminated among the guests, suppliers, regulatory bodies and any other parties with which the Congregation has concluded agreements or which have been commissioned to provide services.

In the case of the Sisters Hospitallers, this Code sets out the criteria governing the conduct everyone involved in the Institution as a sign of its identity, without prejudice to compliance with any other applicable rules and regulations.

The Code demands strict and professional Hospitaller conduct on the part of the Institution and of everyone belonging to it and, as far as possible, its purpose is to promote this ethical conduct on the part of everyone who, in one capacity or another, have relations with the Hospitaller centres in any part of the world.

Accordingly, the Code first summarises the nature of the document and then lays down its “Underlying principles”, defines the “General Guidelines for Conduct”, and details the “Responsible Behaviour and Practices”, establishing a comprehensive set of guidelines for implementing the Code, tailored to meet to the specific local circumstances of every Hospitaller centre.

The reference to conflict of interests is particularly important, because the personnel working in the Institution are obliged to be objective and reliable, and must declare any personal interests that might compromise compliance with their obligations. The Code also emphasises the responsibility taken on by the Institution with regard to the local and the natural environment.

In order to be practical and effective, the Code requires the document to be disseminated, and the personnel to receive training regarding the duties which their work entails, and laying down procedures for monitoring and controlling non-compliance with the rules of the Code, since the organisation will not countenance any unacceptable actions.

Taken together with other similar documents, such as the rules of good governance or legal compliance, this Code of Conduct

places our Institution among the modern organisations in a globalised world, consistently with its own specific values.

Like all the rules of the Congregation, the Code of Conduct provides guidance for performing our Hospitaller mission by improving the care we deliver to the beneficiaries of our mission, and must be tailored according to each situation, and requires each Province and Centre to draw up their own Code of Conduct after due discernment, and adjust the form and the language as appropriate.

Rome, June 2017

Anabela Carneiro
Superior General

1

THE INSTITUTION OF THE SISTERS HOSPITALLERS

The Sisters Hospitallers of the Sacred Heart of Jesus is a female Religious Congregation of the Catholic Church whose ultimate purpose is the practice of Hospitaller charity, above all to people with mental illnesses, and with physical or mental disabilities, with a preference for the poor, and other apostolic work consistently with the Hospitaller Charism to meet the needs of every age and place.¹

The Congregation proposed and demands compliance with this Code of Conduct by everyone engaged on the Hospitaller Mission, whether sisters, co-workers or other persons, and everyone involved in the whole Hospitaller Institution,² by which we mean *“the network of centres, persons, services and activities that share the Hospitaller mission and values, its institutional objectives, and a number of organizational criteria directly related to the charism of the Congregation of Sisters Hospitallers of the Sacred Heart of Jesus.”*³

The Institution of the Sisters Hospitallers performs its Hospitaller mission in different countries in the world through

¹ Cf. HSC. *Constitutions*, n. 2, 3 y 61; *Identity Framework of the Institution* (hereafter *MII*), n. 18.

² Cf. HSC. *MII*, Presentation, p. 7.

³ HSC. *MII*, n. 7.

its centres, facilities, services or activities which constitute the Hospitaller mission, as a not-for-profit entity.⁴

Without prejudice to the rules of good governance, when our Institution thinks of its essential structure as Government, it acts consistently with the identity and the principles it preaches. Accordingly, the structure of the General, Provincial and Local Governments must be adjusted to comply with the provisions of the Constitutions of the Congregation, the General Regulations, Chapter documents and other applicable documents, and in compliance with the Institutional Framework of Identity.

In our Hospitaller Work, Hospitality is the key criterion which drives and steers all the activities of the Institution, which views the exercise of authority as a responsible service, and by ensuring compliance with the applicable legislation, it systematically and consistently promotes the following:

- a) Allocating powers to act as a guarantee.⁵
- b) Appointing the people to take on these powers.
- c) Setting general rules.
- d) General planning of Hospitaller work.
- e) Jointly-responsible decision-taking.
- f) Reliable and trustworthy communications.
- g) Evaluating all the foregoing.

⁴ Cf. HSC. *Constitutions*, n. 25.

⁵ The Institution views management as a service, according to its proper law and its institutional policies, to ensure its efficiency and effectiveness, fostering transparency and co-responsibility.

2

NATURE AND SCOPE OF THE CODE

This Code of Conduct, which also includes matters relating to “*good governance*” and “*legal compliance*” is a powerful tool for setting standards of behaviour in the Institution consistently with its values and with internal and external transparency, making it recognisable in terms of the identity which the Institution claims for itself.

The rules set forth in this Code of Conduct do not, and are not intended to replace the applicable legal framework, whether under contract, or under unilateral commitments, or by statutory obligations, and must not be interpreted in punitive terms the point of view of its typical rules of conduct or penalties. Before all else, the Code seeks to tangibly complement what may be demanded of an Institution in its relations with different interest groups, indicating how to move forward with implementation, evaluation, correction and information procedures, fostering the pursuit of our institutional purposes and providing guarantees to the beneficiaries, co-workers, sisters and society in general.

The provisions of this Code shall prevail over all other internal rules that may contradict it, save where the latter rules are even more stringent.

While the document must be tailored to suit every situation, the Code shall apply to every centre and every activity of the Hospitaller mission forming part of the Institution either because they belong to it, or because they are entrusted to it under particular agreements.

Compliance is required by all the members of the Hospitaller Community, particularly the co-workers and sisters, whatever their positions in the hierarchy or their geographical location, and also by all external agents. By its very nature, the Code is more specifically intended for managers and workers.⁶

In this Code, whenever it is necessary to refer specifically to labour law, the terms 'workers' or 'employees' means co-workers in a working relationship with the Institution.

The term 'manager' of the Institution means those exercise managerial powers in the performance of the functions entrusted to them, or those defined as such by labour law. At their level, Hospitaller managers must work consistently with the aims of the institution in the performance of their functions and in all activities germane to their institutional functions.

⁶ In the terminology of our Institution, employees and workers are known as 'co-workers'.

The Management Councils are responsible for guaranteeing appropriate coordination between the Centre's Code of Conduct and the principles, vision and values enshrined in all professional Codes of Ethics.

Professionals and all those who are bound by specific rules of ethical conduct according to the current legislation of each country are also required to consent to and comply with this Code.

This Code also governs the conduct of the beneficiaries, their family members and those related to them, in their relations with the rest of the Hospitaller Community.

Benefactors who have relations with the Institution must also be familiar with the Code, so that they can clearly identify with the Institution, and be able to ensure that the funds they provide are being put to their intended use.

Lastly, the Code may also place an obligation of suppliers and other interest groups with which the entities of the Institution interact in the performance of their work, mainly when services are outsourced or subcontracted to them, such as the maintenance of buildings, catering, cleaning and other services, whenever the principles and rules of this Code apply to them, and the Institution is empowered to enforce them.

Generally speaking, the Code extends to include anyone linked to the entity whose actions, by the very nature of that link, impact in any way on the Institution. The Code of Conduct of each Province or centre shall indicate any exceptions or exemptions that may be appropriate.

At each level, the Institution shall ensure that the corresponding Code of Conduct is made known to everyone affected by it and more specifically it must provide formation and training for the co-workers and any other relevant groups.

3

PRINCIPLES UNDERPINNING THIS CODE

3.1 Human rights

The criteria underlying this Code incorporate the fundamental rights and public freedoms enshrined in the relevant international instruments, such as the United Nations Universal Declaration of Human Rights (UDHR), The International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESC).

Moreover, the International Convention on the Rights of Persons with Disabilities, and similar international instruments are especially important for the Hospitaller Mission. In general terms, all the fundamental rules and constitutional provisions of the countries in which our Institution operates must also be borne in mind.

By so doing, the Institution's centres will comply strictly with all the provisions of treaties concluded by the International Labour Organisation (ILO). The ILO Member States are obliged to transpose all the principles and requirements laid down in these treaties into their domestic rules and regulations and/or

any rules replacing them, as well those enshrined in their national Constitutions and legislation.⁷

3.2 The Teaching of the Church

Being a Church Institution, we not only take on and comply with all these declarations but we reaffirm them by underpinning and complementing them with the more stringent demands proposed by the teaching of the Church.

The Constitution of the Second Vatican Council on "The Church in the Modern World" *proclaims and further elaborates on the dignity of the person, the free choice of good, the fundamentally equality between all people, social justice, the subordination of progress to the good of the individual person, the sense of responsibility and participation, and the fact that all human activities are ordered to the human person.*⁸

According to the Social Teaching of the Church⁹ we find the great principles that inspire the conduct of Humanity in society, politics, the economy, and the world of work. They are, in short, the dignity of the human person, socialisation and

⁷ Para los países en que la Institución está presente y no están adscritos a la Organización Internacional del Trabajo, se estará a los derechos fundamentales según sus Constituciones Políticas, y legislación correspondiente.

⁸ Concilio Vaticano II. *Constitución GS*, n. 12, 17, 29, 31 y 35.

⁹ En la larga lista de sus documentos a partir de la "Rerum novarum", se ponen de relieve los siguientes: "Mater et magistra" de Juan XXIII, "Populorum progressio" de Pablo VI, "Laborem exercens" de Juan Pablo II, "Caritas in veritate" de Benedicto XVI y últimamente "Laudato si" del Papa Francisco en clave de ecología integral.

participation, the common good, the universal destination of earthly goods and private property, solidarity and subsidiarity.

3.3 The Institution's Identity Framework

In this section on the principles on which this Code is built, it is essential to recall not only the basis of Human Rights and the Teaching of the Church, but also our own, and the key principles of our Institution.

They have been collected essentially in our constitutional document "The Identity Framework of the Institution" which, consistently with the Constitution of the Congregation, explains our Hospitaller Identity and is the necessary benchmark document for everyone dealing with the Institution, and for everything that is done wherever we are present or we decide to stay.

Its purpose is to provide an identity Code for the Hospitaller project to act as a guide for the shared mission in every environment in which we are present in the world. By so doing, it provides the necessary degree of unity that is amenable to being translated for intercultural use, and to foster increasing networking with a globalised vision of what we are and what we do.¹⁰

¹⁰Cf. HSC. *III*, Presentation, p. 9 and 11. The Identity Framework is the essential benchmark for all the co-workers of the Institution regardless of their relations with the centres, as well as all those who have apostolic or commercial relations with the Institution in one form or another.

The Identity Framework proposes “HOSPITALITY” as an all-encompassing value, which is bound up with everything the Hospitaller Community does. It is an essential human value in every social, care, healthcare and educational environment and takes the form of offering a place and time, care and attention, humanity and resources to the beneficiaries of our mission.¹¹

This value, which determines all we do, is deployed in terms of the following eight values that create the identity of the Hospitaller Project and stands as a benchmark for everything that the Hospitaller Community does:

- 1) Sensitivity towards the excluded
- 2) Service to the sick and needy
- 3) Liberating welcome and outreach
- 4) Comprehensive health
- 5) Professional quality standards
- 6) Humanised care
- 7) Ethics in all we do
- 8) An historical awareness.

Bearing these values in mind, and faithful to our founding spirit, consistently with our Hospitaller identity and reaching out to the present world, this Code describes the *Principles and Rules of Conduct* of the Institutions of the Sisters Hospitallers.

¹¹ Cf. HSC, *MII*, n. 31

4

GENERAL GUIDELINES FOR CONDUCT

The criteria governing conduct on the part of the Institution and the people in any way connected with it lie in being compliant with the Identity Framework of the Institution, all the entity's in-house rules and national legislation as the corpus of external rules and regulations.

In any case, based on the principles and the spirit of the Identity Framework and consistently with it, the next section sets out the key features of the rules governing and guiding our conduct.

4.1 The dignity of every Person

The Institution of the Sisters Hospitallers guarantees respect for the dignity of *every man and woman*, and reaffirms their dignity which is always present in every circumstance when faced with people in a vulnerable situation, and at the risk of exclusion.

Accordingly, the Institution protects people against any kind of *abuse* or physical, psychological, financial, sexual, *abuse or maltreatment*, whether intentional or as a result of negligence.

All the members of the Hospitaller Community are responsible for complying with these structures. In each centre, procedures shall be established to ensure effective compliance

The Institution acknowledges that each person is unique according to the Gospel, which is its ultimate *raison d'être*.

4.2 The centrality of the person in our care

In our Hospitaller Mission *the human person is the centrepiece* of our holistic care, which is a fundamental principle in the institutions' policies and organisational structures..

All the professionals must deliver personalised, humanised and quality health care according to best practices, at all times respecting their privacy and sensitivity, and encouraging their participation and informed consent. The Institution promotes training, teaching and scientific research as part of its mission of care.

It guarantees compliance with the highest quality standards by systematically and continually performing self-evaluation and designing plans for improvement and innovation..

4.3 Equality and nondiscrimination

In our Hospitaller work everyone is treated *equally* without any discrimination on grounds of race, gender, age, creed, sexual orientation, civil status, disabilities, social condition, political orientation or opinions of any other kind, nationality, or any other similar circumstance.

There shall be no adverse selection of the guests and patients in our centres in respect of the provision of medical treatment, and no discrimination against them or their family members, and they shall always be guaranteed the effective enjoyment of their rights.

In the professional field, everyone shall be given equal opportunities in each stage in their work: induction, advancement and assessment. They shall receive fair, adequate and legal remuneration.

4.4 Privacy and data protection

All our co-workers¹² are obliged to treat all the procedures, documents and activities performed in the centre as confidential. The Institution shall act in full compliance with all personal data protection legislation with regard to accessing, managing, processing and transmitting any clinical, work and institutional information.

The centres shall decide on the institutional and personal ITC data use based on the principles of discretion, confidentiality and professional secrecy.

The duty of professional confidentiality does not cease when the employment relationship is terminated or when the supplier ceases to provide services to the Institution.

¹² "Co-workers" as those with Access to information.

4.5 The Institution's commitment

In compliance with current law and the highest standards of integrity and honesty, the Institution promotes a *transparent and ethical approach* in its relations with users, professionals, guests, clients, suppliers, regulatory bodies and other organisations with which they conclude service and cooperation agreements, prohibiting any practice that is not morally lawful or legal.

The centres shall implement *strategies to foster communications*, self-evaluation and monitoring together with continuous improvement plans, and guaranteeing compliance with the Code of Conduct in all the Hospitaller Centres.

4.6 The responsibility of Co-workers

The Institution requires all co-workers to *fully take on their responsibilities*, avoiding any action likely to bring the profession and the image of the Institution into disrepute. No-one may perform actions for their personal benefit where these conflict with the work of the Institution, or take any decisions which create a conflict of interest.

Co-workers shall contribute to pursuing the aims of the Institution, performing their work to high professional quality standards, constantly updating and sustaining their knowledge, and always carefully using the assets and resources at their disposal to perform their work.

All resources are to be used for the benefit of our Hospitaller mission.

4.7 Ethical practice in institutional relations

The guiding principle governing all institutional, professional, commercial or business relations is to ensure ethical conduct in compliance with the law and consistently with our corporate values.

Relations with similar service entities shall be governed by the principle of fairness and loyalty, any form of unfair competition shall be prohibited and everyone shall act according to all the mandatory legal rules.

The same principles apply to the use of any information gathered in the course of these relations.

4.8 Respect for the working environment¹³

Every centre shall establish procedures and areas that create a *working environment* that guarantees the dignity of all the workers.

Work shall be organised in such a way as to protect the health and safety of our workers by implementing plans to prevent the risk of injury in the workplace and encourage a healthy, ecologically friendly and humanising working environment. Similarly, strategies shall be implemented that enable the co-workers to harmonise their working and their family life, according to their particular situations.

Workers shall be guaranteed all the collective labour rights which are theirs by right, as provided by the international treaties of the ILO, and the fundamental laws of the countries in which they operate.

¹³Cfr. HSC. *III*, n. 51: "...the overall evaluation of co-workers in a setting enabling their personal and professional progress...".

4.9 Social and environmental responsibility

In its general plans and in its operations, the Institution shall effectively promote social and environmental responsibility..

The Hospitaller Institution shall act responsibly with regard to the environment by complying with its legal obligations and also with accepted practices in this area by encouraging the participation of co-workers and beneficiaries alike to play an active part in active citizenship, caring for and sustaining the environment.

Wherever the institution is present, it shall encourage *the development of the local society* and shall be involved in the local environment.

4.10 Transparent communications

The Hospitaller Mission shall ensure *truthful and effective communications*, respecting the procedures and protocols which have been established in terms of our corporate visual identity.

The image which the Institution projects outside must be consistent with its identity. When appearing in an official capacity or when acting in circumstances that will have public repercussions on the Institution, anyone working for the Hospitaller Institution and anyone acting as its representative, must take care to ensure that they conduct themselves consistently with the Institution's Identity Framework and with the policies laid down for this purpose.

Information and communication systems must only be used for the purposes for which they have been instituted.

5

RESPONSIBLE BEHAVIOUR AND PRACTICES

All the actions performed by the Institution must be directed towards its overriding purpose; it sets out to act consistently with the principles set down herein, in order to make Hospitality present for people's holistic good; and performs all its Hospitaller work according to the general benchmark guidelines set out above in respect of the conduct indicated in each case.

The following examples of behaviours and responsible practices should generally apply in every individual case, ensuring compliance by the entity and by the whole Hospitaller Community in the performance of their professional responsibilities or in respect of what is expected in the performance of their obligations.

5.1 Applicable rules

Every practice in the Institution shall be consistent with the principle of compliance with the Institution's rules and the current legislation of each country concerned, and it shall put in place general policies and appropriate monitoring systems and, where required, appropriate corrective measures to be taken, whether under internal or external disciplinary rules or rules of any other kind.

The entity considers deems all the agreements into which it has entered or which it has underwritten, and which are still effective, as forming part of its in-house rules, and is committed to complying with them in good faith.

All those who work in the Hospitaller Mission must observe the Institution's guidelines and governing principles, and especially this Code of Conduct, since *this is the way to ensure trust* in the work of the Institution; this obligation is particularly important for managers, since they epitomise the institution.

5.2 Care and education

Our Hospitaller work, in the provision of both care and education on the behalf of the guests in our care, shall be performed in compliance with the rules and regulations specifically applying to them and using the best scientific knowledge and expertise available, subject to oversight and evaluation. This system of care promotes the participation of the guests, and in every case requires informed consent.

All the work performed for the guests and the beneficiaries of our mission shall be recorded systematically, reliably, and be clearly documented, and used as input for the reports and accounts, reflecting both the quantity and the quality of the services provided.

The Institution shall guarantee data protection and the confidential treatment of all information relating to its professional activities in the centres. The members of the Hospitaller Community shall not disseminate or divulge to third parties any confidential or personal data, save where the law so requires.

It is prohibited for *any centre in the Hospitaller Institution to practise discrimination* of any kind or infringe fundamental rights, or tolerate any kind of abuse, whether physical, psychological, sexual or of any other kind, by any individual or against any individual, including by *culpa in vigilando*.¹⁴

5.3 Resource management

The Institution requires economic and financial management, including investments and assets, be based on ethics, responsibility and accountability, as set forth in its Rules of good governance (Management Handbook”).¹⁵

The Institution shall comply with the instructions governing its operations of economic or financial importance, and must ensure that all the accounting records and all other records are kept clearly and accurately. All information must be complete, appropriate and comprehensible, and provide a true picture of the entity, and be at the disposal of the internal and external auditors. The entity shall introduce an appropriate system for the internal audit of financial information, and shall guarantee that auditing is performed effectively and on a regular basis.

Those responsible for drafting financial and economic documents shall ensure that the information is stated honestly, accurately and in accordance with current legislation and with the procedures required under the Institution’s policies.

¹⁴ This refers to an act of negligence which must not be allowed to lead to abuse.

¹⁵ Cf. The Management Handbook or Directory, or the Code of Good Governance, currently being drafted..

The entity is mindful of its fiscal and other tax-related liabilities under the relevant State legislation; likewise, it shall report to the public authorities any practice of false accounting or concealing the origin of any proceeds of unlawful or criminal activities.

All the material resources belonging to the Hospitaller Institution shall be used efficiently and for the benefit of the Institution, and not be used for any private purposes whatsoever. The entity shall protect its own and others' intellectual and industrial property rights.

5.4 Conflicts of interest

The entity demands clarity and transparency in all its actions and in particular in all decisions taken.

The members of the Hospitaller Community, and in particular the managerial staff, shall avoid any situations which might create a conflict between their personal interests and the interests of the Institution. They shall refrain from representing the Institution, or acting or influencing any decisions taken in which, directly or indirectly, they or any third person connected with them have a personal interest.

The Institution must never be allowed to conclude any kind of commercial agreement with the members of the Hospitaller Community; no self-contracting is permitted, save in the case of an authorised, public and documented relationship.

No worker may provide services as a consultant, councillor, manager, employee or advisor to any other competing company except for services which they may provide at the request of their entity or for which they are authorised by their entity. They shall not exploit their position in the Institution to obtain any monetary or personal gain or personal business opportunities.

Any conflict of interest arising that might compromise the necessary objectivity or professionalism of the post held by any co-worker of the entity shall be duly reported so that, while respecting the confidentiality and privacy of the persons concerned, appropriate measures may be adopted for the benefit of all.

5.5 Employment obligations¹⁶

The Hospitaller Institution shall foster a working environment of freedom, respect and trust. Human resources shall be managed in a reasonable, objective and humanising manner, fostering the professional development of its employees.

The Organisation shall be subject to employment law and, where applicable, the collective labour agreements and employment contracts, complying with the standard minimum international rules::

- a) *No employee* shall be discriminated against on grounds of race, disability, sickness, religion, sexual orientation, political opinion, age, nationality or gender.

¹⁶ Cf. Nota 6.

- b) Any kind of physical, sexual, psychological, financial or verbal abuse or harassment against any employee, or any kind of conduct that might contribute to create an intimidating, offensive or hostile working environment is prohibited.
- c) Employees shall perform their duties in safe and healthy environments.
- d) The entity shall not employ any child beneath the minimum statutory working age.
- e) The working day and overtime shall not exceed the legal limits.
- f) Workers shall be granted trade union rights, freedom of association, and the right to collective bargaining.

Employees' pay shall commensurate to their functions. The Institution shall endeavour to bring pay into line with the pay-scales applying outside the Institution.

Workers shall perform their duties in good faith as employees, following the orders and instructions of their superiors, and shall show respect and consideration to all the members of the Hospitaller Community.

All employees must ensure confidentiality and secrecy, respect for the personal and family privacy of all those involved in the Hospitaller Mission. The personnel of the entity shall use all information and knowledge generated within the organisation as its property or entrusted to it for safekeeping, for the benefit and in the interests of the Institution, so that it shall not be divulged to third parties except where the law so requires.

Workers shall not duplicate, copy or store any information and data other than what is necessary to discharge their duties.

It is forbidden to use any privileged information or to infringe the entity's or third parties' intellectual and industrial property rights. Employees shall use the entity's goods and services in an efficient manner and may not use them for their own benefit.

Co-workers shall behave ethically and appropriately when representing the Institution at any public event.

5.6 Relations with suppliers

In its relations with suppliers, the Institution shall act consistently with the values and the in-house rules based on the reasonability of its own and others' interests, seeking to strike a balance for the common good, and undertaking to comply with all agreements and covenants.

The employees of the entity shall work lawfully, ethically and respectfully with the suppliers of goods and services.

Suppliers shall be selected according to the criteria of objectivity, professionalism and transparency, reconciling their interest to obtain the best terms and conditions, with the need to uphold stable relations with ethical and responsible suppliers.

Compliance is required with all applicable rules and procedures. All decisions adopted in this regard must be accredited and traceable.

All providers working with the Institution shall undertake to respect the human and labour rights of their employees and those working for them under contract, and to involve and acquaint their negotiating trading partners with these principles.

Co-workers of the Institution, especially if they are managers, may not accept or offer any suppliers' gifts; any gift or present received in contravention of this Code must be immediately returned and shall be reported to the Oversight Committee. If it is not reasonably possible to return the gift or present, it shall be put to social use.

Any gifts in cash are expressly prohibited. In particular, no employee may offer, grant, request or accept gifts or presents from any natural or legal person with which the Institution has any kind of relations which, either singly or accumulated over a period of one year, exceed a value in excess of the amounts set down for each geoeconomic environment.¹⁷

The only exception are gifts of negligible value and which are proportional and reasonable according to local practices, and are transparent, and given for lawful, socially acceptable and occasional reasons. At all events, customary practices regarding gifts must be registered and evaluated by the institution.

¹⁷ Por ejemplo, para el ámbito de Europa se fija la cantidad de treinta euros.

5.7 Relations with society

The Institution shall promote a legal, transparent, professional and ethical attitude in all its internal and external relations and prohibit any act entailing corruption in any of its forms, as indicated above.

In the countries in which they perform their activities, the employees of the Institution shall deal with the public authorities lawfully, ethically, respectfully and in accordance with international law provisions¹⁸ to combat corruption, bribery and similar conduct. No payment or gifts may be given to facilitate any mediation operations whatsoever.

Relations with public authorities shall be properly recorded and all decisions taken shall be documented and certified to be in accordance with the applicable internal and external rules, so ensure that they can be audited.

The Institution shall ensure that any aid or funds requested or received shall be used for their declared purposes, documenting the process and offering all relevant information; it is prohibited to falsify any conditions or internal data in order to obtain grants from public or private entities.

Co-workers must be specifically authorised by the entity to have relations with public authorities' representatives. Like all institutional relations, formal or informal, these relations must be based on ethical principles and be in compliance with the law, so that no co-workers may engage any lobbying without

¹⁸ The United Nations Convention against Corruption (UNCAC), The OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions 1997, and similar instruments.

the prior authorisation of the competent authority, and at all events be subject to all the applicable rules.

The Institution affirms its social and environmental commitment in the performance of its work for the benefit of individuals and society to create a sustainable world, fostering voluntary service and accepting it as part of its routine work.

5.8 Personal relations

We require relations between everyone in our centres to be based on the principles and values of the Institution of the Sisters Hospitallers, so that all our Co-workers behave ethically in the performance of their duties, above all when they represent the Institution.

We encourage all the Co-workers to create a working environment within the institution that is satisfying and stimulating in which individual merit is recognised and mutual respect is encouraged, as well as commitment, sharing ideas, trust, freedom and equality.

Any kind of violence, intimidation, hostility or humiliation and harassment or abuse in the workplace or of a sexual nature is therefore prohibited and special care must be taken to ensure that people with disabilities can be given employment.

Any conduct in any way connected with the trafficking or use of drugs and alcohol in the workplace is therefore prohibited

It is also prohibited to disclose other people's secrets or breach their privacy, take possession of their papers, letters, emails or any other documents or personal effects or intercept their telecommunications, or to practise deception by any technical means to intercept, transmit, record or play sounds or images or any other type of communication of any person without their consent.

It is forbidden to introduce, sell, show, provide or possess pornographic materials of any kind in the workplace.

Any vulgar or disrespectful language shall be avoided. Showing respect due to others is incumbent on all, and workers shall ensure that they attend work suitably dressed, according to the local customs.

Applying their in-house rules, the centres shall introduce penalties to apply to any co-workers in breach of this principle.

6

COMPLIANCE WITH THE CODE

6.1 Dissemination and training/formation

Through the Provinces and centres, and in all identified environments, the Institution shall disseminate this Code to all the members of the Hospitaller Community in the following manner:

1. Giving a copy to all the members of the Hospitaller Community.
2. Posting the Code on their website
3. Performing specific activities to notify, train and sensitise everyone to ensure that this Code is properly understood and put into into practice.

From the date of entry into force of the Code, every member of the Hospitaller Community shall sign a written declaration signifying their knowledge and acceptance of the Code. Every new employee shall do likewise on joining the entity.

6.2 Oversight and monitoring body

An Oversight Committee¹⁹ shall be instituted at the Provincial level of the organisation to ensure compliance in every matter covered by this Code of Conduct; it shall have a minimum membership of three people, one manager, and two other members appointed by the Provincial Superior for a period of three years. The Provincial Superior may revoke the mandate of one or all the members, appointing their replacements who shall remain in office until the end of the current three-year term.

The functions of this Oversight Committee shall be to:

- 1) Ensure that activities are put in place to communicate, train and sensitise people to this Code of Conduct in the Institution or promote them if absent.²⁰
- 2) Study and reply to requests for consultation, complaints or any notices received..
- 3) Forward any complaints or reports, initiate investigations and gather all the necessary information to help clarify the facts behind the complaints or reports and then issue a decision in each instance.
- 4) Analyse and respond to any request for amendments or exemptions from the centres.
- 5) Draft their annual budget.

¹⁹ The name will differ according to local usage.

²⁰ To ensure that everyone is adequately familiar with, and observes, this Code.

- 6) Arrange for audits to be performed into compliance with the Code of Conduct, and ensure that a register is kept of its work and an Annual Monitoring Report is drafted and submitted to the Provincial Superior.
- 7) Propose any improvements or changes to the Code of Conduct to the Provincial Superior, designed to permanently adjust its provisions to take account of any new commitments or circumstances.
- 8) Any new task entrusted to it or stemming from the foregoing.

The Committee may act on its own initiative or at the request of any member of the Hospitaller Community or any person having relations with it.

6.3 Compliance procedures

All the members of the Hospitaller Community shall undertake to comply with, and ensure compliance with this Code.

6.3.1 Submission of reports and complaints

Complaints of alleged or possible infringements of this Code in any of the Centres belonging to the entity shall be reported

Complaints shall be reported to the Provincial Oversight Committee in writing or by email at the email address to be notified. The Management Councils of the centres shall publicise this possibility in places accessible to the general

public such as at the centre's reception desk or entrance to the Institution or on the website.²¹

Complainants must be identified. The complainant's identity and any supplementary information that the complainant may provide will enable the Oversight Committee to investigate more thoroughly and make it possible to respond appropriately. The Oversight Committee shall deal with anonymous complaints, according to the circumstances.

Ordinarily, any complaint must comprise the following elements:

- 1.- The identity of the person or persons reported.
- 2.- The provisions of the Code allegedly infringed.
- 3.- Arguments and evidence to corroborate the claim.

The Oversight Committee shall reply in writing or by email acknowledging receipt of the complaint and assigning a case number to be given to the claimant to facilitate the complaints procedure.

The Oversight Committee shall examine the evidence submitted and may request additional information from the Management Council of the centre concerned. The Oversight Committee shall issue a decision stating whether or not the complaint is proven, and recommending whether not the Management or the relevant entity should adopt disciplinary or any relevant measures as appropriate. If the question is of particular importance or has particular repercussions, the Committee shall notify the Provincial Superior.

²¹ According to the relevant rules governing transparency.

Any infringement or failure to comply with the Code shall constitute a breach of the employment conditions, and the penalty shall be according to the rules in force for the offence, notwithstanding any other penalties that may accrue for any other infringements.

After the process is completed, if the complainants have been identified they will receive a summary report indicating the decision taken in the case

6.3.2 Waiver procedure

The Institution does not provide for waivers of any provisions of the Code of Conduct.

If the Management Council deems it necessary to seek a waiver of any provision of the Code for a given individual or for all the members of the Hospitaller Community or part of that community, due to the customs of the country or region, or for any other reasonable cause, it may submit a request for the waiver from the Compliance Committee. The Compliance Committee shall study the request and forward it to the Provincial Superior accompanied by its recommendation, and the Provincial Superior shall issue a decision in accordance with proper law.

The notice approving or rejecting the requested waiver shall be served on the Management Council; if it is approved, the Council shall publish the decision and incorporate the waiver into the Code of the centre.

6.3.3 Procedural guarantees

This Code guarantees secrecy regarding the identity of the complainant and prohibits the divulgence of any information which might directly or indirectly enable anyone to infer the identity of the complainant.

The members of the Compliance Committee and the members of the centres' Management Councils shall respect confidentiality, especially in this connection.

No-one may request any person subject to this Code to infringe it. The Institution shall guarantee that no retaliatory measure shall be taken against any person who, in good faith, reports an infringement of this Code to the Provincial Compliance Committee, and who cooperates with the investigation and the resolution of the case. The complainant's conduct shall be deemed to be a valuable contribution to protect the identity and the values of the Hospitaller Institution.

Any infringement of confidentiality and interference with any investigation being conducted by the Committee intended to inconvenience or damage the parties involved shall be deemed to be a breach of the Code and of the terms of employment. Any sanctions that may be imposed by the Provincial Superior or the corresponding entity shall be reported in the Annual Compliance Report.

These guarantees shall not apply to anyone acting in bad faith in order to disseminate false information or to harm others, which shall also be deemed to be a breach similarly to the cases just mentioned.

The fact that a matter has been reported or has been taken into consideration by opening a procedure shall not be construed to imply that the facts reported have been accepted as proven. Accordingly, the investigation shall be conducted by the Compliance Committee with all due discretion and respect.

6.4 Repercussions outside the Institution

The centres of the Hospitaller Institution undertake, where appropriate, to institute civil or criminal legal proceedings under the legal system in each country. It is strictly forbidden to do anything which might constitute an offence in civil, administrative, fiscal or criminal law according to the legal provisions in force in the countries in which the Institution performs its mission.

The internal audit is a priority task of all the institutions of the Congregation, to prevent, detect and stop any unlawful action by anyone whatsoever within its sphere of responsibility, in its own name, or on its account, or to its benefit. Accordingly, without prejudice to any internal measures that may be adopted, the matter shall also be pursued through the proper channels to be dealt with by the competent authorities, when appropriate, particularly in the following cases:

1. Actions involving human trafficking or the exploitation or corruption of children or vulnerable persons, or abusing the rights of migrant or workers, or trafficking in prohibited substances.
2. Acts involving public or private corruption, or trafficking contacts, or financing illegal activities or money-laundering.
3. Disclosing secrets, forgery or deceit, or fraudulent bankruptcy.
4. Damaging natural resources and the environment.

7

REVISING AND UPDATING THE CODE

The centres and the Compliance Committee may, whenever they deem it necessary, amend or modify this Code. After receiving the reports and the corresponding opinions, the Provincial Superior shall decide according to proper law. The Provincial Superiors may also change the Code of Conduct.

If any amendment is approved, the amendment shall be disseminated and rendered public, showing:

1. The date on which the changes become effective
2. The text deleted from the Code
3. The new inserted text
4. The need or otherwise to notify all the Co-workers of the amended text..

The Code shall also be amended to introduce any changes needed required by law or advisable according to best practice.

**CODE OF CONDUCT
OF THE INSTITUTION OF
THE SISTERS HOSPITALLERS**

ORGANISATION AND MANAGEMENT N° 10

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