

CODE OF CONDUCT FOR BOARD MEMBERS

2022





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Introduction

This code of conduct is a guiding instrument for board members of the European Forum for Restorative Justice (hereafter: the EFRJ). The Code of Conduct guides the behaviour of board members in fulfilling their tasks and in the way they interact with each other, with employees of the organisation and in their engagement with other organisations or individuals.

The code of conduct is based on the values and principles of restorative practice. Restorative practices include participatory learning and decision-making processes for building relationships and the obligations that arise from them.

Following this Code of Conduct will support ethical behaviour and effective leadership, will strengthen relationships and will guide EFRJ to address breaches of the code or interpersonal conflict restoratively.

Justification

Various interests, competences and regional representations are represented in the board of the EFRJ. This diversity is important for achieving "effective policy" and "good governance" in line with the Constitution and Mission Statement of the Forum. This realisation entails obligations and responsibilities: a code of conduct is one positive way of describing these obligations.

Underlying values

All actions, behaviours and communications shall be in line with the key values of restorative justice: respect for human dignity, solidarity and responsibility for our obligations to others, justice and accountability and speaking the truth. The principles which flow from these values include:

- . All actions, behaviours and attitudes shall recognise and value each person's capabilities, views, emotions and needs and shall involve all those people affected by a decision, as much as possible, in the decision-making process.
- . All actions, behaviours and attitudes should take relationships seriously, envisioning oneself in an interconnected web of people, institutions and the environment.
- . All actions, behaviours and attitudes may have an impact on others and the environment, thus responsibility is crucial for preventing harm (or repairing harm if needed).
- . All communications shall be direct and authentic, aiming at respectful, open and honest dialogue.
- . All problems and conflicts are best solved by dialogue leading to mutual understanding and agreed action, thus restorative approaches are prioritized in case of conflict.
- . Those who are considered to have breached the Code will be supported to make themselves accountable.





Definitions and method

The code has been drawn up by the board members and has been accepted by the board. It describes the requirements for board members to perform their role as a board member, take part in the board meetings, to conduct allocated tasks or actions effectively, and to take active responsibility for the ethical and effective leadership of EFRJ.

“Board members” are understood as

Independent members of EFRJ and representatives of organisations that are members of EFRJ elected by the membership of EFRJ at the AGM as prescribed in the Constitution of the EFRJ.

This Code will also apply to members who have been co-opted to the Board between AGMs.

The code applies

To any board member in any situation in which he/she is representing the EFRJ i.e. board meetings, committees and working groups that are established within the Board, or at any performance of duties or representation outside the EFRJ.

Code of conduct requirements

Conflicts of Interest

If a board member notices an item on an agenda that creates an report this immediately to the chairperson (or in case of absence of the chair the vice chair) of the board. The chairperson will determine further action and informs the board about this. If an item arises during a meeting or other event that creates an actual or potential conflict of interest on his or her behalf, he or she will declare this immediately and, if necessary, leave the meeting while this item is discussed.





The following are considered to be potential conflicts of interest:

Financial interests

- . having or entering into a financial business relationship with the EFRJ, its members or any other bodies or committees insofar as this can influence a board member's judgement, decisions and actions against the interests of the EFRJ.
- . supplying services to the EFRJ or having a capital interest in an organization providing goods or services to the EFRJ.
- . If such financial interests are not considered by the Board to represent a conflict of interest, the arrangements should be recorded formally stating the reason for the decision and should be subject to transparent scrutiny.

Relational interests

In the event of the Board making a decision regarding an offer of employment, a contract for services, the venue of a conference or other event, the co-option of a Board member, representation on a committee, working group or project, a speaker for conference, or other decision which advantages and individual or organisation over others, a Board member must declare a potential conflict of interest if she/he has a personal relationship with any of the candidates. If the Board consider that it does represent an actual conflict of interest, the member should leave the meeting until the decision has been taken. If the Board determine that this does not represent a conflict of interest, the reasons should be recorded formally and be subject to transparent scrutiny.

Mandates and functions

Each board member shall submit a list of relevant work-related and voluntary interests that he or she performs in his professional and free time. The list will be published on the website of the EFRJ. Any changes to items on the list by the concerned board member will be reported immediately.

Commitment

The board member ensures that he/she can be sufficiently available and present during the meetings and is committed to active and collegial participation in the activities of the Board.

He/she is aware that relevant, timely and accurate information is important to effective management and supervision of the EFRJ and will make every effort to make this information available to the other board members. Each Board member should ensure that they have read the agenda and accompanying materials and is full prepared to participate actively in the meeting.





Role

Each Board member should be clear about their role and respect the boundaries between their role and the role of the Secretariat. The Board is responsible for the governance of the EFRJ, its policies and overall strategies and its financial accountability. The Secretariat is responsible for the operational management of the EFRJ.

Basic values of governance

Board member exemplify the following basic values in their role:

“Accountability” (the board member is liable and can be held accountable for the decisions of the board)

“Transparency” (the board member is transparent about his/her personal decision-making and about his/her assessment of risks)

“Honesty” (he/she communicates and acts honestly inside and outside the board meetings).

“Confidentiality” (he/she undertakes to indefinitely preserve the confidentiality of any document, information or other material communicated to them in confidence).

Loyalty

The board member is loyal to the EFRJ and is committed to the principles, values and the effect of good governance. The board member accepts collective responsibility for the decisions taken. He/she will support and defend the decisions taken to the members and the outside world.

Respecting these ethical requirements enables an open and honest dialogue in board meetings. To the members and the outside world, it means a guarantee that the decisions taken within the board are in line with the principles of good governance. The legitimacy of the board is thus made more visible.





What if the code of conduct is breached?

If the code of conduct is broken by any board member it should first be met with a restorative response by the board itself. The process should be initiated by the chair of the board or the vice-chair. The method should follow the basic values, principles and standards for a restorative approach. If the process does not lead to a mutual agreement on how to move forward, the measures described in the constitution of the EFRJ will be used¹.

This code of conduct shall be made known to board members before they get elected and shall be signed before the board member can officially start the position as a board member.

¹ Art 28. (...) Board members can be dismissed from their function when their conduct, action or statements are found, on the basis of good evidence, to be inconsistent with the aim and objectives of the Forum, or are considered to be likely to bring the Forum into disrepute. A motion to dismiss a Board member can be brought to the General Meeting on the initiative of 10 full members or of a two thirds majority of the Board members. A written request to deal with this motion must be sent to any two members of the Board, and this at the latest two months before the date of the General Meeting at which the motion should be considered. The motion must mention the reasons for dismissal of the Board member and will need to be supported by a two thirds majority of the General Meeting.

