

---

## ESS Code of Conduct

---

	Name	Role/Title
<b>Owner</b>	Johan Långberg	Legal Officer
<b>Reviewer</b>	Agneta Nestenborg Meredith Shirey Anna Hansson Kalaris Quality Division	Director for Project Support and Administration Deputy Director for Project Support and Administration Head of Human Resources
<b>Approver</b>	John Womersley	Director General

<b>TABLE OF CONTENT</b>	<b>PAGE</b>
1. INTRODUCTION.....	3
2. RESPONSIBILITIES WITHIN THE ORGANISATION.....	3
2.1. Working conditions.....	3
2.1.1. ESS practices.....	3
2.1.2. Equal opportunity.....	3
2.1.3. Discrimination and harassment.....	3
2.1.4. Health and safety.....	4
2.1.5. Staff representatives.....	4
2.1.6. Privacy of data.....	4
2.2. Conflicts of interest.....	4
3. RESPONSIBILITIES TOWARDS EXTERNAL PARTIES.....	5
3.1. Social responsibility.....	5
3.2. Sustainability.....	5
3.3. Media communications.....	5
3.4. Business partners.....	5
3.5. Members.....	6
4. APPLICABILITY.....	6
5. ROUTINES FOR REPORTING VIOLATIONS.....	6
6. GLOSSARY.....	7
7. REFERENCES.....	7

## **1. INTRODUCTION**

This Code of Conduct is a set of rules outlining the responsibilities and proper practices for individuals within the ESS. The rules are developed by and for ESS and express its principles, values and norms and the appropriate behaviour for ESS Staff.

The motivation for this Code of Conduct is to guide the ESS Staff's ethical awareness, to be a socially responsible organisation and to comply with the expectations of our stakeholders, including ESS management.

The primary target group for this Code of Conduct is the ESS Staff. However, other receivers that ESS expect to follow the Code of Conduct, or to apply equivalent principles, include all persons engaged by ESS or having ESS as their temporary place of work, including external stakeholders such as partners, co-laboratories, consultants, etc.

It is the responsibility of each ESS manager to implement this Code of Conduct in his/her team. Each member of the ESS Staff is responsible for understanding and complying with the provisions of this Code of Conduct, not only to the letter through our behaviour, but also in spirit.

## **2. RESPONSIBILITIES WITHIN THE ORGANISATION**

### **2.1. Working conditions**

#### **2.1.1. ESS practices**

ESS practices shall be based upon internationally recognised labour standards, applicable laws, regulations, collective agreements, industry standards and national customs.

#### **2.1.2. Equal opportunity**

ESS is committed to a diverse and non-discriminatory workplace, and it seeks to actively recruit, continually develop and retain talented people from diverse backgrounds and origins. All ESS Staff are to be treated with equal respect and will have an equal opportunity to contribute fully to the organisation's success based on their individual skills and interests.

#### **2.1.3. Discrimination and harassment**

ESS Staff will not discriminate against or harass any colleague or any external party. It is the policy of ESS to treat all current or potential ESS Staff equally, fairly and with respect regardless of race, gender, age, national origin, disability, religion, sexual orientation, union membership or political affiliation. ESS is committed to taking immediate and necessary action if it becomes aware that any unfair or discriminatory practices are occurring or have occurred.

#### **2.1.4. Health and safety**

ESS is committed to offering a safe and healthy workplace. ESS' goal is to eliminate rather than just reduce work-related accidents and injuries throughout its facilities and strives for the continuous improvement of health and safety in the workplace.

Unlawful distribution, possession, consumption or working under the influence of unlawful controlled substances (e.g. illegal drugs) while on ESS' premises and/or while conducting ESS' activities is strictly prohibited. The consumption of alcohol on ESS' office premises is prohibited, as further described in ESS Rules for Alcohol and Drugs at the Work Place [1]. Any consumption of alcohol in conjunction with external or internal representation should be managed in a responsible manner.

#### **2.1.5. Staff representatives**

ESS will demonstrate good faith and mutual respect in its dealings with ESS Staff and their representatives in the workplace. ESS recognises the fundamental right of employees to decide whether to be represented by recognised unions of their choice, and will respect the right of employees and their trade unions to engage in collective bargaining.

#### **2.1.6. Privacy of data**

ESS ensures that the registration, filing and use of personal data pertaining to ESS Staff is treated with strict confidentiality and in accordance with applicable legislation and ESS Rules for Data Protection [2].

### **2.2. Conflicts of interest**

As a member of the ESS Staff, an individual's professional loyalty is to ESS. All business related decisions must be made based on the best interests of ESS, rather than on any personal or other considerations or relationships. ESS Staff must practice honesty and integrity and should avoid entering into situations where their personal, family or financial interests may be in conflict with that of ESS.

ESS works against corruption in all its forms, including extortion and bribery. Neither ESS nor any member of the ESS Staff (or a family member, or relative or friend of a member of the ESS Staff acting with his/her knowledge) may in any circumstances offer, promise, give, receive or demand an illegal or improper payment or benefit, bribe or any other undue advantage from or to a third party that could affect or appear to affect objectivity and fairness in business decisions. ESS Staff should at all times use their good judgement to avoid creating the appearance of improper payments and other inappropriate benefits. Particular care should be taken in all relationships with government or other public officials or employees, based in Sweden, Denmark or abroad, as well as in procurement decisions.

Gifts and other benefits offered or received as part of normal business courtesy are not prohibited, e.g. lunches and other meals of an every-day character, smaller product samples and hand-outs/gifts of a lower value at conferences. In general, the higher the value, the more likely the gift or other benefit is to be considered inappropriate. A case-by-case assessment must be made by all ESS Staff, in communication with their line

manager and when necessary, the Head of Supply, Procurement and Logistic Division, using good judgement as to whether the gift or other benefit nevertheless could be considered inappropriate. Cash payments are however always considered inappropriate.

ESS Staff shall ensure at all times, that any gift or benefit received or provided by them is appropriate, occasional, reasonable, not lavish or extravagant in the context provided, transparent and always made in good faith. Further rules are set out in the ESS Rules for Ethics in Contracting [2].

### **3. RESPONSIBILITIES TOWARDS EXTERNAL PARTIES**

#### **3.1. Social responsibility**

ESS is committed to acting in a socially responsible way and, within the framework of the national legislations, supporting its partners.

ESS is committed to making a positive social contribution to the community where it operates and to manage the business as a responsible member of society.

ESS management is actively encouraged to find ways and activities through which ESS and the ESS Staff can make a positive and lasting impact on the society and the communities in which the it operates.

#### **3.2. Sustainability**

ESS should act in an environmentally responsible and sustainable manner by minimising the environmental impact of its activities. Responsibilities for environmental protection are shared throughout ESS – all members of the ESS Staff have an important role to play. ESS' progress towards sustainable development is continuously monitored and externally communicated.

ESS Core Values state that: "We act and make decisions with a long-term perspective and strive to safely and responsibly use natural, human and monetary resources. We take the full life cycle of ESS into account, and view sustainability from environmental, social and economic perspectives [4]."

#### **3.3. Media communications**

ESS' goal is to be transparent, open and proactive in its communications with all of its stakeholders, to provide factual and consistent information about the ESS and its development while taking care not to disclose any sensitive information that could damage the organisation's position. ESS Staff shall ensure that information essential to the stakeholders of the organisation shall always be given as fast as circumstances permit.

#### **3.4. Business partners**

It is the policy of ESS to treat all current or potential business partners fairly and without prejudice. The goal is to gain and maintain business by continuous development and

research and to be able to provide research, services and solutions that meet partners' expectations regarding quality, safety and environmental protection, while always applying the highest standards of business ethics.

### **3.5. Members**

ESS is always striving to maximise the value of the members' investment and ESS Staff shall always consider sustainability when determining important strategies and financial action alternatives.

## **4. APPLICABILITY**

This Code of Conduct applies to all ESS Staff regardless of function, grade or standing and relates to their conduct in connection with all ESS activities. ESS expects equivalent standards of conduct from all other persons acting on its behalf and no one in the organisation has the mandate to authorise exceptions from the Code of Conduct.

Managers are expected to conduct themselves in a manner which is a good example of the practice and the guidelines set forth in this Code of Conduct. It is also the responsibility of every manager within ESS to ensure that all ESS Staff reporting to him/her are fully aware of the Code of Conduct and to assure that it is implemented and followed.

This Code of Conduct is not exhaustive and any member of the ESS Staff, who is in any doubt as to whether a proposed course of action or conduct might violate it, should seek the advice of his/her line manager or the HR Division, before taking action.

The Code of Conduct shall be distributed internally as well as to third parties such as students, trainees, secondees, consultants, in-kind partners and other persons engaged by ESS or having ESS as their temporary place of work. The HR Division should inform potential ESS Staff members about the Code of Conduct during the recruitment process and, when needed internally, offer information and training, e.g. e-learning, lectures and seminars/workshops. ESS will review the Code of Conduct from time to time and update it in accordance with best practice and changes to the regulatory framework.

## **5. ROUTINES FOR REPORTING VIOLATIONS**

If any member of ESS Staff perceives or experiences behaviour or actions that go against this Code of Conduct, he/she should report that information immediately to his/her line manager, with the assurance that there will be no retaliation or other negative consequences for persons acting in good faith. If for some reason a member of the ESS Staff feels that he/she cannot confide in his/her line manager, or for issues of a sensitive nature, which would be inappropriate to direct to a line manager as stated above, the Head of HR Division or the Director for Project Support and Administration should be contacted. This can also be done anonymously by leaving a note in the HR letterbox.

On receipt of a complaint, all ESS managers are required to investigate and resolve the matter complained of and report on its progress and outcome to the Head of HR Division or the Director for Project Support and Administration, as may be appropriate in the circumstances.

If a member of the ESS Staff has raised a concern which he/she does not consider to have been resolved, the member of staff should report the concern to the Head of HR Division. The Head of HR Division is also available as an independent source of advice to all members of the ESS Staff requiring assistance, advice or clarification on issues pertaining to this Code of Conduct.

Failure to comply with this Code of Conduct internally may result in disciplinary measures and in extreme cases, ESS may initiate civil law proceedings or refer the matter to the appropriate public authority for investigation.

## 6. GLOSSARY

Term	Definition
ESS	European Spallation Source ERIC, including the Data Management and Software Centre (DMSC) and other sub-entities that may be established by ESS
ESS Staff	Employees, students, trainees, secondees, and visiting scientists having ESS as their permanent or temporary place of work

## 7. REFERENCES

- [1] ESS Rules for Alcohol and Drugs at the Work Place (ESS-0052962)
- [2] ESS Rules for Data Protection (ESS-0035303)
- [3] ESS Rules for Ethics in Contracting (ESS-0025288)
- [4] ESS Core Values (ESS-0307562)

### Document Revision history

Revision	Reason for and description of change	Author	Date
1	First revision	Ohad Graber-Soudry	2015-02-10
2	Update from the AB to the ERIC, changed template, minor corrections	Johan Långberg	2016-10-13
3	Third revision	Johan Långberg	2018-05-15