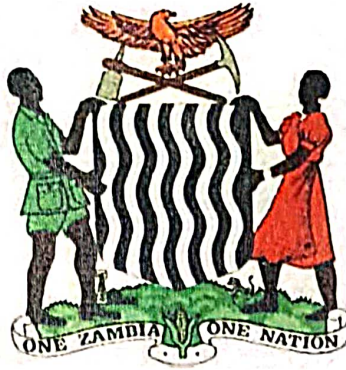


**REPUBLIC OF ZAMBIA**




**MINISTRY OF EDUCATION**

**CODE OF CONDUCT FOR CONTRACTORS**

**Ministry Overview**

The Ministry of Education is responsible for overseeing Early Childhood Education, Primary education, secondary education, colleges of teacher education and public Universities in Zambia. Our success is built on the commitment and professionalism of our employees. The Ministry of Education is committed to the highest standards of work ethics and integrity.

This Code of Conduct (CoC) does not cover every issue that may arise, but it is an important resource that sets forth the core principles that govern all contractors and how we do business. I ask that you read and understand the Code of Conduct and comply with any specific rules and practices that apply to your job. If you have any questions, please contact your supervisor or the Project Implementing Committee (PIC). We believe in always treating people fairly, while looking for ways to improve our service and contribution to the communities in which we live and work. What you do and how you do it are critical to the successful implementation of our projects and the development of our communities.

  
Noriana Muneku (Ms.)  
Permanent Secretary – Administration  
**MINISTRY OF EDUCATION**

## **Preamble**

This Code outlines in part, our commitment to managing environmental and social risks associated with our operations including the risks of sexual exploitation and abuse, and sexual harassment. We are dedicated to upholding the highest standards of integrity and respect for the environment, employees, and the communities in which we operate.

The Code of Conduct defines the ethical requirements and standards for our staff and stakeholders, whom we expect to sign and respect the Code of Conduct and work actively towards the implementation hereof. We require all individuals involved to endorse and adhere to this Code of Conduct, actively contributing to its enforcement and realization. By affixing their signature to this document, our personnel and stakeholders commit to prioritizing ethics in all facets of their professional engagements.

Our commitment to compliance extends to both international and national legal frameworks. In instances where the provisions of the law and the Code address the same subject, the highest standard shall apply.

## **Application**

The Special Conditions contained in this CoC shall apply to all Ministry of Education (MoE) staff engaged and paid using the Project Resources and holding any post established under the contract, Technical Supervisors, Artisans, Project Implementation Committees and Community members (collectively “Contractors”) involved in the construction at the site.

## **Definitions**

**Child:** The United Nations Convention on the Rights of the Child defines a child as a human being younger than 18 years, unless under the law applicable to the child the age of majority is reached earlier.:

**Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual Abuse:** refers to ‘the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.’

**Sexual harassment (SH):** Any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature that creates an intimidating environment or becomes a condition of employment.

**Origin nationality:** means workers who are legally permitted to work in Zambia

## **PART I**

### **Compliance With Laws and Regulations**

All contractors must comply with all the applicable local and state laws including, but not limited to regulations, and codes related to construction, health and safety, labour practices, human rights, and environmental protection. Ignorance of the law is not an excuse for non-compliance.

## **PART II**

### **Health and Safety**

- Contractors must take adequate steps to provide safe and hygienic working environments.
- Workers' safety must be a priority and adequate steps must be taken to prevent accidents and injury to health associated with or occurring in the course of work.
- Contractors should ensure employees are properly trained and provided with the appropriate personal protective types of equipment (PPEs) to perform their duties.

## **PART III**

### **Environmental Protection**

- Minimize environmental impacts and promote conservation.
- Implement waste management and pollution control measures.
- Contractors should address issues related to proper waste management, ensuring recycling, conservation of scarce resources, protection of water bodies and efficient energy use.
- Regularly assess environmental risks and adapt to mitigation strategies.
- Use natural resources (such as water, energy, and raw materials) efficiently and sustainably.
- Educate and train employees on environmental issues, policies, and best practices.

## PART IV

### General Provisions

1. **Human Rights and Labour Rights:** Contractors must at all times protect and promote human and labour rights and work actively to address issues of concern. Contractors must not engage in the exploitation of child labour and contractors must take the necessary steps to prevent the employment of child labour. A child is defined as a person under the age of 18 and children shall not be engaged in labor that compromises their education, health, safety, mental and social development. In addition, gender balance during employment should be considered.
2. **Respect and Diversity:** Contractors must treat all of their colleagues, clients, and the local community with the utmost respect and dignity, regardless of their ethnicity, gender, age, religion, or any other protected characteristic. Discrimination and any form of disrespectful behaviour will not be tolerated. •
3. **Accountability and Justice:** Hold perpetrators of sexual exploitation and abuse accountable for their actions. This principle emphasizes the importance of fair and impartial investigations, appropriate disciplinary measures, and access to justice for survivors.
4. **Transparency and Accountability:** Foster transparency and accountability within our organizations. This involves being open and honest about incidents of sexual exploitation and abuse, as well as taking responsibility for addressing systemic issues and gaps in prevention and response efforts.
5. **Ethical Conduct and Integrity:** Uphold high standards of ethical conduct and integrity in all aspects of prevention and response efforts. This includes respecting confidentiality, avoiding conflicts of interest, avoid victimization by prioritizing the well-being of individuals and communities affected by sexual exploitation and abuse.
6. **Survivor-Centered Approach:** Prioritize the needs and rights of survivors of sexual exploitation and abuse. Ensure that survivors are treated with respect, dignity, and empathy and that their voices are heard, and respected throughout the process while confidentiality is maintained.



7. **Prevention and Risk Reduction:** Contractors should take proactive measures to prevent sexual exploitation and abuse from occurring. This includes implementing policies, procedures, and practices that reduce the risk of harm by promoting awareness of education matters through sensitization.
8. **Equality and Diversity:** Contractors should ensure that they operate in a non-discriminatory way when recruiting and appointing staff and sub-contractors for work on site. Contractors must ensure a commitment to equal opportunities and treat all residents with equal respect whatever a person's race, color, ethnic or national origin, religion, gender, age, disability, state of health, appearance, marital status or family circumstances. Contractors must also accommodate, when applicable and so far, as possible, any special needs of residents.
9. **Non-Discrimination and Inclusion:** Contractors should ensure that prevention and response efforts are inclusive and accessible to all individuals, regardless of their age, gender, ethnicity, nationality, disability, or other characteristics. This principle emphasizes the importance of addressing intersecting forms of discrimination and marginalization.
10. **Zero Tolerance:** Adopt a zero-tolerance policy towards sexual exploitation, discrimination and abuse in any form. This principle emphasizes that such behaviors are not acceptable and will not be tolerated under any circumstances.
11. **Sexual Exploitation and Abuse (SEA):** Prohibit any form of SEA and take immediate disciplinary actions against offenders. Provide training and awareness programs to prevent SEA. Establish clear reporting mechanisms for victims and whistle-blowers.
12. **Sexual Harassment:** Maintain a workplace free from sexual harassment (SH). Implement preventive measures and provide training to all workers on site. Encourage reporting and ensure confidentiality and protection of complainants and, or survivors.
13. **Partnership and Collaboration:** Work collaboratively with all stakeholders to address all matters about this code.

## **PART V**

### **Compliance and Reporting**

A strong commitment to compliance and reporting promotes ethical behaviour and safeguards the institution's integrity.

- **Reporting Violations:** Contractors must promptly report any suspected or suspicious violations of this code, unethical practices and illegal activities must be reported directly to their supervisor, Project Implementing Committee (PIC) or the designated reporting channels established by the Project
- **Non-Retaliation:** The Project strictly prohibits retaliation against all employees who report violations. Anyone found to engage in retaliation will be subject to disciplinary action.
- **Confidentiality of Reports:** Any reports and information related to compliance concerns will be treated with strict confidentiality. Only individuals involved in the investigation or those with authorization should have access to such information to ensure the privacy and protection of all parties involved.
- **Whistleblower Protection:** The Project is committed to protecting whistleblowers who report compliance or violation concerns with good faith. This will ensure that no retaliatory action will be taken against these individuals who make such reports and will comply with applicable laws regarding whistleblower protection.

## PART VI

### Grievance Redress Mechanism (GRM)

- Complaints or disclosures about alleged violation of this code of conduct should be submitted in either writing verbal and provide specific details of the incident, such as the date, time and nature of the alleged breach. It must also include any supporting materials. All reports will be treated as confidential.
- The Employee will be kept informed of the outcome of the investigation of the alleged violation.
- Complaints will be dealt with a survivor-centred approach to ensure that anyone who has been the target of SEA/SH is treated with dignity and that the person's rights, privacy, needs and wishes are respected and prioritized in any interactions.
- Any cases of SEA/SH brought through the GRM will be documented and remain closed/sealed and filed in a safe location to maintain the confidentiality of the survivor.

## **PART VII**

### **Consequences of the Code**

Any violation of this code of conduct will result in serious consequences, including contract termination, report to legal entities, administrative penalties according to severity of the Code of Conduct violation.

### **PART VII Commitment**

I commit that while working on the project I will:

- Attend and actively partake in training programs related to environmental and social safeguards as requested by the project.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, ethnic or social origin, disability, birth or nationality, gender identity or other status.
- Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not engage in sexual exploitation, which is defined as any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- Not engage in sexual abuse, which is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- Not engage in sexual harassment, which is defined as any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.
- Not participate in sexual contact or activity with children; persons under the age of 18.
- A mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not allow children to the construction site unless they are at immediate risk of injury or in physical danger.
- Do not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography.
- Refrain from hiring children for domestic or other labor below the minimum age of 18 unless national law specifies a higher age which places them at significant risk of injury.
- Consider reporting through the Grievance Redress Mechanism (GRM) or to my supervisor any suspected or actual SEA/SH by a fellow worker, whether employed on the project or not, or any violation of this Code of Conduct.

**PART X**

**Acknowledgement**

I hereby acknowledge that I have read and understood this code of conduct, and I agree to abide by its terms. I understand that any action inconsistent with this Code of Conduct may result in disciplinary action.

Name ..... Signature: .....

Position: ..... Location: .....

Date: .....

**Witness**

Name ..... Signature: .....

Position: ..... Location: .....

Date: .....