



## CODE OF ETHICS

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## DOCUMENT VERIFICATION

Role	Name	Job Title	Signature	
OWNER	Fiona Davenport	Head of HR	<i>F M Davenport</i>	
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APPROVER	Philip Diamond	SKA Director-General	<i>Philip Diamond</i>	
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## **Policy Statement**

SKA Organisation (SKAO) is committed to the highest standards of business ethics and as such expects everyone involved in SKAO-related business to uphold the standards and expected professional behaviour set out in this Code of Ethics.

This Code of Ethics (the Code) includes participation in SKAO-sponsored or organised activities (e.g., meetings, publications, etc.) as well as covering all staff members, temporary workers, secondees, interns, consortium members, contractors, agents, affiliates, meeting attendees and others working for or on behalf of the SKA Organisation.

This Code sits alongside the SKAO Code of Conduct which is also applicable for anyone who works directly for SKAO either as a staff member, temporary worker, secondee, intern or contractor and includes those acting on behalf of the organisation such as members of the SKAO Board of Directors.

This Code of Ethics does not form part of any employee's contract of employment and SKAO may amend it at any time.

## **1 Background**

- 1.1 Everyone involved in the Square Kilometre Array project shares responsibility for the welfare of this project and of the community within it. All members of the SKA community should act ethically in the conduct of their work and in relations with members of the public and other members of the community. The maintenance of a set of ethical standards for work-related conduct requires a commitment to a lifelong effort: to act ethically in one's professional activities; to encourage ethical behaviour by staff members, colleagues and employers; and to consult with others as needed regarding ethical problems and concerns.

## **2 Key Principles**

- 2.1 The Code detailed in this document defines the standards and professional behaviours expected for anyone involved in the Square Kilometre Array project. These define the minimal standards of ethical behaviour relating to work carried out in the business of SKAO.
- 2.2 The Code of Ethics applies in the workplace or outside the workplace (when dealing with stakeholders or SKAO-sponsored or organised activities).
- 2.3 It is the responsibility of all members of the SKA community to familiarise themselves with ethical issues, as well as guidelines, policies, and procedures related to the oversight and maintenance of ethical standards.
- 2.4 Upon appointment, all staff members, temporary workers, secondees, interns, consortium members, affiliates, meeting attendees or contractors of SKAO will be asked to acknowledge that they have read this Code of Ethics and agree to abide by it.
- 2.5 When an attendee signs up to an SKAO organised or backed event, they are required to acknowledge that they have read and agree to abide by this Code.
- 2.6 Any SKA staff member, consortium member, affiliate, intern or any meeting attendee, who experiences or witnesses a possible violation of the SKAO Code, shall be expected to report it as described in section 4 below.

- 2.7 It is incumbent on senior members of our community to inform more junior members, as well as colleagues and peers, of such guidelines, policies, and procedures. Conduct that is not specifically addressed by this Code is not necessarily ethical or unethical.
- 2.8 Within our community, there are numerous stakeholders and SKAO does not have the oversight authority to accept responsibility for investigating and adjudicating suspected breaches of ethics that are the rightful jurisdiction and responsibility of other community stakeholders. Where an ethical breach occurs by those not governed directly by SKAO, the SKAO reserve the right to take appropriate action, following investigation, that may include exclusion from SKAO hosted activity, removal of rights to represent SKAO or removal of access to SKA Project information. Where appropriate SKAO may inform the associated stakeholder organisation. It will be the responsibility of that organisation to determine any further investigative or corrective actions as appropriate.

### **3 Expected Professional Behaviour**

#### **3.1 Treating Others with Respect**

- 3.1.1 All people encountered in professional life should be treated with respect. At no time is abusive, demeaning, humiliating, or intimidating behaviour acceptable; abuses of power are unacceptable.
- 3.1.2 Everyone should work to provide an environment that encourages the free expression and exchange of ideas, valuing difference and recognising the contribution from those with different cultures, backgrounds, opinions and ideas.

#### **3.2 Contributing to a Positive Working Environment that is Free from Harassment, Bullying and Discrimination**

Harassment:

- 3.2.1 Harassment because of gender, race, colour, nationality, ethnic and national origin, religion and belief, age, marital or civil partner status, sexual orientation, gender identity and expression, gender reassignment, disability, pregnancy or maternity or any other protected characteristic; statutory harassment; or stalking or stalking involving fear of violence or serious alarm or distress; violates the SKAO Code.
- 3.2.2 Acts of harassment can include, but are not limited to, the following: verbal harassment (e.g., comments that are offensive or unwelcome, including epithets, slurs, teasing, and stereotyping), nonverbal harassment (e.g., obscene gestures; distribution, display, or discussion of inappropriate written or graphic material or material that ridicules, denigrates, insults, belittles, or shows hostility or disrespect toward an individual or group), or physical harassment, including unwelcome, unwanted physical contact (e.g., physical assault or violating an individual's personal space). A single incident can amount to harassment.
- 3.2.3 Stalking can include, but are not limited to following a person, contacting or attempting to contact, publishing a statement or other material relating to or purporting to relate to a person, or purporting to originate from a person, interfering with any property in possession of a person, watching or spying on a person.

#### Sexual Harassment:

- 3.2.4 Sexual harassment is defined as unwanted conduct of a sexual nature. Sexually oriented conduct can include verbal sexual harassment (e.g., innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks), nonverbal sexual harassment (e.g., the distribution, display, or discussion of sexually oriented written or graphic material), or physical sexual harassment (e.g., unwelcome, unwanted, unrequested, or uninvited physical contact).

#### Bullying:

- 3.2.5 Bullying is defined as unwelcome or unreasonable behaviour that demeans, intimidates, humiliates, or sabotages the work of people, either as individuals or as a group. Bullying behaviour is most often aggressive, persistent, and part of a pattern, but it can also occur as a single egregious incident. It is usually carried out by an individual but can also be an aspect of group behaviour. Exercising appropriate authority, directing the work of others pursuant to their job responsibilities, and respectful scientific debate are not considered bullying behaviour.
- 3.2.6 Examples of bullying behaviours include, but are not limited to, verbal bullying (e.g., threatening, slandering, ridiculing, or maligning a person; making abusive or offensive remarks), physical bullying (e.g., pushing, poking, assaulting, threatening assault, or damaging a person's work area or property), gesture bullying (e.g., nonverbal threatening gestures), or sabotaging an individual's work.

#### Discrimination:

- 3.2.7 SKAO aims to promote equality of opportunity and fair treatment for all stakeholders. Discrimination on the grounds of gender, race, colour, nationality, ethnic and national origin, religion and belief, age, marital or civil partner status, sexual orientation, gender identity and expression, gender reassignment, disability, pregnancy or maternity or any other protected characteristic is not acceptable and will not be tolerated.

### **3.3 Disclosure of Any Potential Conflicts of Interest**

- 3.3.1 Many activities of scientists, engineers, administrators and other members of the SKA community have the potential for a conflict of interest (e.g., reviewing proposals or applications, organising/chairing/participating in panels and committees/working groups). Any professional relationship or action that may either be, or may be perceived to be, a conflict of interest should be fully disclosed to the Chair of the panel/committee/working group, event organisers or your line manager (in the case of SKAO staff members/secondees/interns).
- 3.3.2 All individuals are expected to educate themselves on the scope of what may constitute a conflict of interest under various circumstances.
- 3.3.3 When in doubt, individuals should disclose and ask for clarification. Typically examples of a conflict of interest may apply where an individual has competing interests or loyalties and/or where they cannot make a fair decision due to affiliations.
- 3.3.4 Conflict of interest may include, but is not limited to, situations where the outcome of a deliberation will influence the professional or financial status of one of the

participants/affiliated organisations, directly or indirectly or situations where decisions will affect the status of a person who is close to one of the participants.

- 3.3.5 Reviewers should disclose conflicts of interest resulting from direct competitive, collaborative, or other relationships with those they are reviewing and recuse themselves from cases where such conflicts preclude an objective evaluation. It is unethical to seek to gain an advantage by means of reviewing the work of others, either through use of private information or biased reviews of other's work. Privileged information or ideas that are obtained through peer review must be kept confidential and not used for competitive gain.
- 3.3.6 If a conflict of interest cannot be properly managed, the activity should be avoided or discontinued.

## **4 Handling Potential Ethical Breaches**

### **4.1 Filing of Complaint**

- 4.1.1 Any person subject to this Code who experiences or witnesses a potential violation of an SKA ethical standard may file a complaint by sending an email to [HR@skatelescope.org](mailto:HR@skatelescope.org) providing the following details:
- Name of complainant, organisation and position
  - Detail of the complaint, referencing the nature of the breach in line with the SKAO's Code. The names of the implicated parties should be provided and, where possible, any other supporting material or evidence.
  - Date and location of the ethical violation
  - Where applicable the names and contact details of potential witnesses
- 4.1.2 If the complaint is against SKA Organisation's HR team or an individual therein, the email should instead be addressed to the Deputy Director General.
- 4.1.3 Anonymous complaints will not be accepted, noting the name of any complainant will be kept confidential, subject to clause 4.3. Witnesses to, as well as victims of, an alleged ethical violation may bring a complaint.
- 4.1.4 All complaints will be acknowledged within 7 working days.
- 4.1.5 Whilst the decision whether to progress a complaint any further is up to the person making the complaint, SKAO have a duty to protect its employees and others engaged in SKAO related activities. If, where the circumstances deem it appropriate, SKAO may choose to pursue the matter independently.
- 4.1.6 Staff members who make individual or repeated allegations of Ethics Code breaches in bad faith will be subject to the same types of disciplinary action to which violators of the Code are subject.

### **4.2 Jurisdiction, Investigation and Sanctions**

- 4.2.1 Where the complaint relates to an individual governed by SKAO, including staff members/secondees/ interns, the individual's line manager (or where applicable another senior manager with no prior involvement in the complaint) in conjunction with SKAO HR

shall investigate the complaint and, where applicable, take action in line with the disciplinary policy.

4.2.2 For all other individuals the following will apply:

- the complaint will be investigated by an appropriate senior investigating officer, as determined by the SKAO Director General, and will be supported by HR. The person(s) implicated by the complaint will be notified of the complaint in a timely manner and be given the opportunity to formally respond, providing any evidence or mitigating factors as applicable.
- Where a complaint is about someone other than a staff member, SKAO will consider what action may be appropriate to protect any individuals involved pending the outcome of the investigation, bearing in mind the reasonable needs of SKAO and the rights of that person.
- Following the investigation any of the below actions may be made by the senior investigating officer:
  1. No action taken;
  2. Formal letter issued to the person(s) implicated by the complaint, asking them to refrain from such behaviour in the future;
  3. Exclusion from events and/or working groups as applicable;
  4. Individual(s) employer(s) notified of the ethical violation; or
  5. Other reasonable action as deemed appropriate based on the facts of the case. This may include a recommendation for mediation or other appropriate action.
- The investigation will be conducted and individuals informed in writing of the outcome in a timely manner. The meaning of “timely” will be decided on a case by case basis at the discretion of the senior investigating officer, considering the detail of the allegations made, but will at all times not exceed sixty (60) days from the date of reporting.
- Any action taken will be recorded by HR in a confidential log. This record will be held for a defined period of time, as agreed on a case by case basis with the investigating officer, taking into account the nature and seriousness of the violation. All records of the violation will be deleted in line with agreed expiry date.
- In determining the appropriate action required, consideration may be given to relevant previous actions recorded against that individual under this Code.

4.2.3 In the event that a complaint alleges conduct that is, or may be, the subject of other legal or institutional proceedings, the senior investigating officer may, at their discretion, defer further proceedings with respect to the complaint until the conclusion of the other legal or institutional proceedings. Those findings may be used as a basis for considering SKAO actions.

4.2.4 Anyone who makes a complaint or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Any SKAO employee found to have retaliated against or victimised someone in this way will be subject to disciplinary action under SKAO’s Disciplinary Procedure. For any other individual engaged on SKAO related activity, but not governed by it, they may be subject to a separate investigation in accordance with this Code, as well as with the employer of any individual who is not governed by SKAO where necessary.

### **4.3 Confidentiality**

- 4.3.1 SKAO recognise the nature of the small international community in which it operates and takes the confidentiality of dealing with any complaints raised and resultant actions extremely seriously. The details of a filed complaint and all proceedings will be kept strictly confidential by all parties prior to a final determination of the matter, except that information regarding complaints may be shared with SKA in house legal counsel, and any staff member designated to assist in investigating the complaint, as well as the employer of any individual who is not governed by SKAO as necessary.
- 4.3.2 As detailed in section 4.2.2, any action taken against an individual shall be recorded by HR in a confidential log in line with the agreed retention period. Where there is a repeat violation within this time-period details of any previous action taken will be made available to the current investigating officer and, where applicable, in house legal counsel. Otherwise it will be kept strictly confidential.
- 4.3.3 Subject to 4.3.2 above, details of determinations of violations of the Code shall be kept confidential, unless disclosure of the determination to the public is part of another sanction, for example if compelled by a court order. When dealing with an individual who is not governed by SKAO their employer will be notified of the outcome of any investigation, as appropriate.
- 4.3.4 The outcome of an investigation may be made public in order to educate the SKAO membership about the requirements of the Code but will not make the identities of the parties known. Equally the outcome of any investigation may contribute to statistical information used for monitoring and/or educational purposes
- 4.3.5 Initiation of legal action against the SKA or its Officers or staff members shall constitute a waiver of confidentiality by the person initiating such action.
- 4.3.6 All records relating to complaints and investigations, whether or not it is determined that a violation occurred, will be maintained in a secure place in line with the (United Kingdom) Data Protection legislation.

### **4.4 Appeals**

- 4.4.1 For SKAO staff members/secondees/interns, any sanctions and associated appeals, will be in line with the disciplinary policy.
- 4.4.2 For others not governed by the SKAO, but subject to an SKAO sanction following an investigation, there is no automatic right of appeal. Individuals who wish to appeal may do so in writing to the Director-General stating the grounds of their appeal, recognising it is at the Director-General's discretion whether the request for an appeal is accepted.
- 4.4.3 In the event that an appeal is agreed, the Director-General will appoint an appeal panel, including the Head of HR, to review all information considered, plus any additional relevant information presented as part of the appeal and, within sixty (60) days of the appeal being granted, make a decision to uphold or reverse the determination. The Appeal Panel may set aside the original determination that a violation has occurred, or it may determine that the sanction imposed was not appropriate. This may include increasing the sanction if deemed insufficient. The Appeal Panel shall recommend a course of action to the Director-General, who will then accept or reject the finding. This will constitute the final decision of SKAO with respect to the matter at hand. Both the

Respondent and the Complainant will be notified of the final appeal determination. A complete record of the appeal will be given to and kept by SKAO HR.

## **5 Review of the Code**

5.1 This code will be regularly reviewed to ensure compliance with any legislative changes.