



GOOD GOVERNANCE

EXEMPLARY Code of Conduct
for Integrity in Federation Work

As on: 12.10.2015

Code of conduct

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This code of conduct addresses voluntary office-bearers and professional staff of the FEDERATION alike. The major part of this code is generally applicable, in some provisions however, a distinction must be made between professional staff and volunteers. When such a distinction is necessary, it is described and explained specifically in the text below.

A. How we interact with each other

1. Culture of appreciation and respect

The image and reputation of the FEDERATION are shaped significantly by how its professional and volunteer staff behave and appear in public. This is why a respectful, fair and professional way of interacting with each other and towards third parties is so important for the culture inside the federation and its reputation in the outside world. At the same time sport has special characteristics and features which play a role in the FEDERATION itself and in terms of its function as a role model for clubs and regional federations.

Sports clubs and federations are all about sharing experiences, wide-ranging physical activities and having fun together. A sense of community is what counts and it creates close ties - an easy-going, laid back tone is the general rule. That is the great thing about sport, but an easy-going attitude must not lead to boundaries being crossed. People are different, some need more space, do not want to be immediately addressed on a first-name basis by a stranger or want to be hugged each time you meet. Cheeky remarks don't go down well with everyone, especially not if they verge on the offensive. If this is how a person feels, this should always be accepted without casting doubt on the person's willingness to communicate openly. Not every woman, not every man likes the feeling of an overbearing counterpart, some are also very careful in their choice of friends. They are perfectly entitled to be so.

Where hierarchical issues come into play, professional distance is of particular importance. There can often be misunderstandings both in voluntary and professional work if a casual request seems to be overbearing or pushy, if the intentions behind it are not clear and leave room for interpretation. What some may (still) put down to sporting camaraderie may be perceived by others as too much (forced) intimacy. The logical - although for the other person not originally expected - reaction of rejection is already difficult enough in other contexts. In a hierarchical situation it becomes a hugely problematic feat, which can bring fundamental conflicts in its wake.

That is why special care must be taken, why respect for individual feelings and the desire for (more) space must always be at the fore. Only then can a shared sporting experience which treats everyone as equals be perceived as something positive by everyone.

2. Foundation of our actions

The employees in leadership positions have a special responsibility. Their actions shall be marked by a friendly and committed way of interacting, of achievement, openness and social skills. They shall trust their staff and allow them – as far as possible – to assume responsibility in their work and make their own decisions. This does not exclude appropriate professional supervision.

Voluntary office-bearers and professional staff shall adhere to the applicable laws and observe the guidelines and rules of the FEDERATION, be they written or unwritten.

B. Conduct in business dealings

1. Conflicts of interest

Voluntary office-bearers and professional staff shall make their decisions for the FEDERATION independently of considerations not linked to the work, i.e. of personal interests or advantages. Even the mere semblance of considerations not related to the work playing a role must be avoided.

This means:

- a) If personal interests may be affected by a specific task/decision, this must be reported and it must be clarified whether it is possible to be involved in the discussion and decision or if the tasks should be transferred to someone else.
- b) Personal relationships going beyond normal sporting solidarity and personal interests relating to member organisations, other sports federations, customers, suppliers, service providers or other business partners of the FEDERATION and that may lead to a conflict of interests in individual cases must also be reported.
- c) The members of the Presidential Board/Executive Committee shall disclose all material and non-material interests that may lead to a conflict of interests or could be perceived as such due to their activity in the FEDERATION in a publically available register of interests on the website of the FEDERATION. These shall include all roles and positions held in business and industry, politics and sport and all memberships relevant to their task in the FEDERATION.
- d) Voluntary office-bearers and professional staff shall refrain from any actions, in particular private or professional dealings of their own, which run counter to the interests of the FEDERATION or which may influence decisions or the work for the FEDERATION.
- e) The voluntary involvement of staff at Headquarters in the decision-making bodies of organised sports clubs shall be welcomed in light of the contact it provides to the grass roots. Involvement in the bodies of the member organisations shall be decided on a case-by-case basis. The involvement of employees in leadership roles in bodies of the member organisations shall be avoided.

2. Gifts and other benefits

Voluntary office-bearers and professional employees must avoid creating any impression of them being open to receiving personal advantages in the scope of their work for the FEDERATION. Gifts and benefits related to or which may relate to the respective task in the FEDERATION may therefore only be accepted or provided in the scope stipulated and in a transparent fashion.

This means:

- a) Voluntary office-bearers and professional employees may only accept gifts from member organisations, other sports federations, customers, suppliers, service-providers or other business partners of the FEDERATION in the scope of what is socially acceptable.
- b) If the gift is accepted/received as a representative of the FEDERATION, it must be passed on to the FEDERATION upon receipt.
- c) When judging whether a personal gift is socially acceptable, a monetary value of 44 Euro can be applied (Section 8 (2) of the German Income Tax Act - EStG Non-cash benefits allowance for benefits exempt from income tax). For several benefits or perks in the same year the limit applies as a total.
- d) Personal gifts made at international level which would be impolite to reject given the situation can be accepted in exceptional cases and must be passed on to the FEDERATION upon receipt.
- e) The provision of discounts or other concessions shall also count as a perk or benefit.
- f) The acceptance of benefits in the form of (cash) monetary gifts shall be prohibited without exception, as shall be requesting a gift or other advantages.
- g) If voluntary office-bearers and professional staff of the FEDERATION order goods or services from member organisations, other sports organisations, customers, suppliers, service providers or other business partners of the FEDERATION for private use, this must be done purely privately in line with the usual business framework and for the usual market price.
- h) The employees of the FEDERATION shall be prohibited from accepting commissions or the promise of commissions for brokering deals of any kind in connection with the exercise of their office for themselves or people close to them without the explicit consent of the Presidential Board.

3. Invitations

Invitations from third parties may only be accepted in the scope permitted and in a transparent manner.

For invitations to sporting events, there must be a distinction between official or representative events and invitations of a (largely) recreational value. The latter must be rejected if there is any doubt.

This means:

- a) Voluntary office-bearers and professional employees may only accept invitations to meals or to events from member organisations, other sports federations, customers, suppliers, service providers or other business partners of the FEDERATION if this serves a legitimate business/official purpose and the invitation is made voluntarily.
- b) Invitations to cultural, sporting or other events must be reported. A representative of the host must be present to ensure the event serves an official business purpose.
- c) Invitations of any kind must be appropriate and take place in the scope of usual cooperation (for instance food and beverages during a meeting or a seminar, a reception following an event). In each case, the decisive factor is that the invitation serves the purpose of official business or representation and that unpermitted exertion of influence can be ruled out.
- d) If so agreed, the attendance of recurring events, participation at standard meetings and comparable official appointments and the hospitality accorded in this context may be reported in a general way rather than each time separately or the respective travel approval/travel expense claim may suffice as reporting.
- e) If such events and meetings are obviously higher-end hospitality or invitations permission must always be sought ahead of time.
- f) In general, frequent invitations by the same customer, supplier, service provider or other business partners should be viewed with caution, and only be permitted as an exception and after being duly approved.

4. Representation of interests

Voluntary office-bearers and professional employees shall represent the interests of the FEDERATION in a transparent and responsible way and shall refrain from providing any unpermitted advantages to third parties.

This means:

- a) The aforementioned rules on “Gifts and other benefits” and “invitations” shall apply duly for gifts, other benefits and invitations the FEDERATION or its voluntary office-bearers and employees provide to representatives of politics and administrations, member organisations, other sports federations, customers, suppliers/service providers or other business partners.
- b) In particular, elected officials, office-bearers, those with special public service obligations, as well as the employees of members of parliament and parliamentary groups as well as persons from other nations in comparable roles may only be invited to information events or for representative purposes, for instance to sporting events with appropriate and socially acceptable hospitality. Additional attendance by a companion and invitations to entertainment or recreational programmes shall not be permitted unless they are an integral and socially acceptable part of the information event. Any impression whatsoever of unpermitted exertion of influence must be ruled out.
- c) The group of people under 4. b) must only be incorporated into the events of the FEDERATION (for instance in the form of a presentation or participation on a panel) in the scope of their respective official capacity and without remuneration. Travel expenses shall only be paid in line with the travel expenses arrangement and if attendance or participation was specifically requested by the FEDERATION, if official representation under 4b) does not apply.
- d) The FEDERATION may invite its own voluntary office-bearers and employees including the lower ranks to its own events and similar. This must be based on plausible criteria communicated ahead of time.
- e) Invitations to cultural, sporting or other events shall be made in writing as a general rule. It must be pointed out in each case that the compliance rules and tax stipulations in force for the company or authority, the sports federation or the relevant institution of the person invited must be complied with.
- f) All invitations by the FEDERATION must be documented as part of normal recordkeeping, for instance in the form of lists of participants.

5. Donations

Definition: Donations are monetary and non-monetary benefits provided voluntarily and free of charge to promote officially recognised donation purposes without any services or benefits being provided in return.

- a) Donations and other non-reciprocal benefits **provided by the FEDERATION to third parties** must be documented.

Donations must be transparent and plausible. The recipient of the donations must be known to the FEDERATION. Possible donation recipients are in particular institutions officially recognised as charitable organisations or authorised to accept donations on the basis of special legal provisions.

(Monetary) donations should be tax-deductible and be made in such a way that ensures their ability to be deducted from taxes (for instance by means of a certificate of donation).

Donation payments to private bank accounts shall not be possible as a general principle.

- b) **Incoming (monetary) donations** must always be issued with a receipt and documented regardless of the sum.

Donated funds shall be used in such a way that the purposes of the federation stated in the statutes are promoted with the greatest effectiveness and cost-efficiency whilst observing economic criteria. The Executive Committee shall decide how to use donations. If the donor stipulates a specific purpose for the donation this must be complied with. The general legal provisions governing charity and non-profit activities must be observed as must the FEDERATION's reimbursement rules.

6. Sponsoring

In contrast to donations, sponsoring is always based on the principle of reciprocity.

Definition: Sponsoring is the contribution of money or services in kind by a legal or natural person with economic interests who in addition to wishing to promote the FEDERATION is also pursuing other interests.

- a) To ensure greater transparency and oversight of the FEDERATION's sponsoring decisions, every agreement on a sponsoring arrangement must be set forth in a written agreement which in particular states the type and scope of the benefits provided by the sponsor and by the FEDERATION.
- b) The FEDERATION shall not be permitted to enter into any sponsoring agreement running counter to its basic sporting ethics principles. Special care must be taken when working with companies producing or selling the following products
 - Pharmaceutical products listed on the respective current WADA list of prohibited products,
 - Tabaco products,
 - High-proof alcohols,
 - Offers and products whose sale to persons under 18 years of age is restricted by the JuSchG (Youth Protection Act), the GjSM (Act on the dissemination of printed and media content harmful to young persons) or any other legal stipulation designed to protect young people, as amended,
 - Weapons of war
 - Betting agencies
- c) Sponsorship shall always be prohibited if the decision-making freedom of the sponsored party is endangered as a result of the contribution. The provision of sponsorship must not have any influence over the decisions of the FEDERATION, in particular decisions relating to the award of contracts or tenders.
- d) Existing sponsoring agreements shall be reviewed regularly to minimize the risk of relationships of dependency.

7. Policy towards public allocations

The allocations provided to the FEDERATION by public authorities (municipal, regional, federal) shall be managed in line with the stipulations of the respective official allocation decision, the general and specific ancillary provisions contained therein and in compliance with all other statutory rules governing such allocations.

8. Stakeholder involvement

The FEDERATION hereby states its commitment to sustainable, responsible and transparent action.

The internal and external stakeholders of the FEDERATION are organisations, groups, and individuals who influence the actions of the federation or who are affected by the implementation of the federation's aims and objectives.

- a) The aim is to intensify the open dialogue with stakeholders so as to maintain a better understanding of the concerns and expectations addressed towards the FEDERATION but also to better communicate the FEDERATION's objectives, motivations and required action.
- b) To ensure a fair dialogue with the stakeholders, the following conditions must be met:
 - Fairness and reliability:
Promises and agreements must be honoured. Should fundamental changes to the underlying conditions or new circumstances arise, this must be communicated.
 - Transparency:
Both sides must convey complete and up-to-date information.
 - Early and regular action:
Information on emerging changes or news shall be made available to the affected stakeholders as soon as possible.
- c) At the beginning of the stakeholder involvement, the planned nature (pure information, dialogue, discussion or further-reaching participation), the framework conditions of the exchange and the aims pursued by both sides must be defined clearly.
- d) Relevant findings and results from the stakeholder dialogue shall be incorporated into the strategic decisions of the FEDERATION. The fundamental responsibility for decisions shall remain with the FEDERATION's decision-making bodies.
- e) The limits to the dialogue shall be set by the legitimate business interests, the rights of third parties or if the dialogue impeding is an internal discussion and decision-making process inside the federation which has not yet been completed. The FEDERATION shall also take steps to ensure that no information is given to stakeholders which must first be presented to other parts or bodies of the FEDERATION due to statutory regulations or the federation's own internal regulations.

9. Fees

The following policy shall apply to income from fees for voluntary office-bearers and employees, for instance for drafting expertise, giving speeches or presentations, participating in discussion events or forums etc.:

- a) If **the activity** takes place **to serve the FEDERATION** i.e. the person is acting clearly and unequivocally in the scope of their voluntary or professional capacity for the FEDERATION then he or she (as the performer of the work) shall invoice the organisation for whom the work is being performed for the services rendered through the accounting department. The organisation for whom the service is being rendered or the work is being performed shall have no entitlement to the issuance of a donation certificate as a result of the exchange of services between the FEDERATION and said organisation.

The following features are indicative of an activity in the service of the FEDERATION in particular:

- Initiation by an authority or agency empowered to issue directives
 - Initiation by resolution of a decision-making body
 - Submission of an application for approval of an official trip
 - Submission of an application for the reimbursement of travel expenses
 - Time spent on (preparatory) activities counting as working time
 - Work done by virtue of holding an FEDERATION office
 - Acquisition or invitation takes place in the scope of work for the FEDERATION
- b) If the activity comes under the scope of the **private sphere** of the person in question, i.e. the person performing the work is clearly and unequivocally acting outside of his or her voluntary or professional work for the FEDERATION, then the private individual (as the performer of the work) shall submit a fee note for the work performed on his or her own behalf and account to the organisation which commissioned the work, and shall receive the according payment as personal income. Proper tax declaration of this income shall be the responsibility of the individual performing the work in this case.

The following features are indicative of a private activity for professional employees:

- The activity is reported as a secondary activity to the HR office (in accordance with the employment contract)
- The work is performed and prepared outside working hours
- An application for leave or flexitime is submitted in relation to this
- Acquisition or invitations happened privately

10. Dealing with resources

a) Dealing with federation property and materials

- Voluntary office-bearers and employees shall handle the federation's property and resources carefully and prudently.
- The resources owned by the federation include tangible property (for instance office equipment, computer systems and equipment, inventory, sports equipment where applicable, tools) as well as intellectual property (for instance recorded data, commercial or business secrets, specialist expertise of the FEDERATION if applicable).
- Damage to the federation's property must be reported immediately and the procurement of a replacement must be clarified.
- Federation resources may only be used for purposes related to the person's official work and not be passed on to third parties.
- Software may only be used in line with the license provisions. All data required to access an official account on a social network and registration codes are the property of the federation.
- Voluntary office-bearers and professional employees shall comply with any internal federation rules or guidelines such as on the (private) use of the Internet, e-mail, (mobile) telephones, laptops/tablets and pool or leased vehicles.

b) Origin and use of financial resources

The following must be observed for the origin and use of financial resources by both voluntary and professional staff:

- Should there be cause for suspicion that the monies are of illegal origin or that the integrity of the organisation or person providing the financial resources is compromised, this must be reported immediately.
- All financial transactions of the FEDERATION shall be scrutinised to make sure they are correct and proper and shall be subject to approval of at least two persons with power of signature (compliance with the crosschecking principle).
- The FEDERATION shall draft a set of financial rules / competence plan governing *inter alia* the powers of signature for the signing of contracts, orders and payment orders, the organisational process for payment transactions (principle of crosschecking by at least two persons), the standards for the processing of contributions or benefits as well as rules for procuring goods and services (for instance the limits for freely awarding contracts, the obliga-

tion to request a minimum number of quotes, the obligation to issue a public call for tenders).

c) Intellectual property / expertise / confidentiality

In line with the obligations regarding confidentiality and secrecy set forth in the employment contract for employees, the following shall also apply to voluntary office-bearers:

- For the duration of the term of office, all operational and commercial or business secrets and issues stated to be confidential by the FEDERATION must be kept secret until they have been recognisably made public. This obligation of secrecy shall also extend to the affairs of other organisations the FEDERATION has economic or organisational ties to.
- After the end of the term of office, the obligation of secrecy shall continue to exist if applicable with regard to certain operational and commercial or business secrets.
- All the letters, faxes and printed e-mails concerning the FEDERATION and its interests must be returned without delay and unbidden regardless of the addressee as must all other items of business correspondence or documents, drawings, notes, books, templates, materials etc. when asked or at the end of the working relationship. There shall be no rights of retention.
- The texts, drawings etc. stated as confidential and secret must be kept in safekeeping as stipulated.

C. Framework

1. Procedure

Should disclosure, the provision of information, approval, reporting or clarification be necessary under this code the following shall apply:

- For professional employees, the superior (or the Secretary-General) shall be the person with this responsibility.
- For the Secretary-General, the President shall be the person with this responsibility.
- For members of the bodies or volunteers the President shall be the person with this responsibility.
- For the President, the Good Governance Officer shall be the person with this responsibility.

Disclosures and decisions must be documented in each case.

2. Special Officer (Ethics Officer, Good Governance Officer)

The federation shall deploy a voluntary Special Officer (Ethics Officer, Good Governance Officer). He or she shall be elected by the General Assembly/Presidential Board. The Special Officer may not hold any other position in the federation and must be independent.

In addition to a preventive, advisory role for all employees and office-bearers (for instance in the event of potential conflicts of interest) if requested, the Special Officer shall also have additional tasks and powers:

- Examining possible breaches
- Assessing the relevance and
- Issuing of recommendations to the relevant decision-making body on how to proceed

He/she shall also have a right of initiative if he/she is not requested to become active directly but gains knowledge of possible incidents from external sources.

The Good Governance Officer shall always be in charge in the case of breaches of the rules by members of the Presidential Board or Executive Committee (investigation, dealing with the events/action to be taken in response).

3. Ombudsperson's Office

The Management/the Presidential Board shall be responsible for the decision on whether to set up an ombudsperson's office.

4. Data protection

In addition to respecting the German Federal Data Protection Act (BDSG) the following guidelines shall apply for voluntary office-bearers and professional employees alike:

- a) No data shall be included in documents that is not required for organising work and the respective area of competence.
- b) Inside the FEDERATION verbal or written information shall only be provided to those who are clearly authorised to receive it.
- c) No verbal information shall be issued to persons or bodies outside of the FEDERATION on individuals, unless there are particular instructions to do so. Such a special instruction may exist for instance for the dealings and transactions with insurance providers and the tax office.
- d) Written notifications or messages including the data of individuals to persons or bodies outside of the FEDERATION must always be signed as an official letter. If this concerns the data of employees, the HR departments shall process this message or notification.
- e) For all requests for information by affected parties going beyond the standard routine requests at the workplace or for which it is clear that it is a request for information pursuant to the BDSG, the respective superior or data protection officer must be involved. He or she will then take action to ensure that the information is provided in accordance with the law.
- f) Documents must be kept so that they are not accessible to unauthorised persons both during and outside working hours. It must be ensured that documents no longer needed are destroyed in a verifiable way, i.e. they are shredded or made illegible so that they cannot be reconstructed by unauthorised parties; they must not then be added to the general refuse. Address labels and comparable index cards – if they occur in larger quantities - must be placed in the special refuse.
- g) In any cases of doubt, the respective superior, the data protection officer – or if employee data is concerned – the HR department shall be the relevant contact.