PUBLIC MEETING

25 June 2010

Rolf Heuer
Anne-Sylvie Catherin
Vincent Vuillemin
Agenda

• CERN Values
  Rolf Heuer

• Code of Conduct
  Rolf Heuer & Anne-Sylvie Catherin

• New Ombuds role
  Vincent Vuillemin
CERN VALUES
CERN Values

- Shared beliefs & aspirations
- Sense of purpose and identity
- Common language
CERN Values

INTEGRITY
Behaving ethically, with intellectual honesty and being accountable for one’s own actions

COMMITMENT
Demonstrating a high level of motivation and dedication to the Organization

PROFESSIONALISM
Producing a high level of results within resource and time constraints and fostering mutual understanding

CREATIVITY
Being at the forefront of one’s professional field, furthering innovation and organizational development

DIVERSITY
Appreciating differences, fostering equality and promoting collaboration
CERN Values

• Defined through management and staff input
• Equally important – to be read in conjunction with each other
• 1st concrete application: CERN Code of Conduct
CERN CODE OF CONDUCT
Code of Conduct

Why a priority?

- Enhance transparency, objectivity and clarity
- Preventive effect
- "The Code has become conspicuous by its absence"
- Need to address recurrent questions
- Globalization of the organization, increased complexity
- Enhanced public scrutiny
Project Launch

- Initiated by HR *upon request from the Director-General*, in response to demand from key stakeholder groups (Council, ACCU, EOAP, Internal Audit...)

- Deemed a *high priority* undertaking in 2009 and 2010, with the goal to apply the Code as of 1.7.2010.

- Part of a *global reflection* on: CERN values, common standards of professional behaviour, enhancement of supervisory skills and accountability, and handling of conflictual situations.
Code of Conduct

What should be addressed and to whom does it apply?

- Common standards of professional behaviour based on CERN values (vs. Code of Ethics)

- Code should be applicable to all CERN contributors, i.e. not only staff members but also the user community, subcontractors, consultants…
Code of Conduct

Approach used to develop the code

- Expertise from external consultant
- Wide consultations at all levels (focus groups)
- Project Reference Group with key stakeholders
- Staff Association involvement from the outset
- Concertation via SCC
- TREF and Council to take note and support
Roles of the Focus Groups and the Project Reference Group

- Provide input into the selection of the main principles covered by the code
- Ensure that the perspectives of key stakeholder groups are taken into account
- Customize the Code to CERN’s needs and culture
- Engage staff at all levels in contributing to the code
Focus Group Consultation

- **9 Focus Groups held**
  2 with group leaders
  2 with section leaders
  2 with staff members (no hierarchical responsibility)
  2 with associated members of the personnel (users, associates and students)
  1 with contractors

- **82 Participants in total**

- **Participants by Focus Group**
  - Group leaders = 19
  - Section leaders = 18
  - Staff members = 26 (including staff association)
  - Associated members of personnel = 12
  - Contractors = 7

- **Fourteen different nationalities participated**
Code of Conduct

- Short, user-friendly document available in print and online, organized around the five CERN values

- Aspirational, providing a framework of general principles

- Extensive FAQ list available online to provide examples of concrete situations
Abstract

Integrity

Behaving ethically, with intellectual honesty and being accountable for one’s own actions

A high standard of integrity in the performance of our work and in our relationships with others promotes a culture of trust and responsibility.

As CERN contributors, we:
- Exercise our authority responsibly. In particular, we abstain from using our authority or position to obtain personal benefits or favours.
- Demonstrate fairness and impartiality.
- Ensure that we credit others for their contribution.
- Avoid conflict of interest or situations that could be perceived as such.
- Refrain from any act or omission designed to deceive others, or to achieve a gain resulting in a loss of funds or reputation for CERN.
- Safeguard confidential information, documents or data, and ensure that such material in our possession is properly protected.
- Respect the privacy of others and protect personal information given to us in confidence.
## FAQ sample

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>CERN value</th>
<th>Subject and Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our service is in regular contact throughout the year with suppliers.</td>
<td>Yes, but you should inform your hierarchy and share the gifts with the rest of your service.</td>
<td>Integrity,</td>
<td>Gifts (from contractors)</td>
</tr>
<tr>
<td>Around the Christmas season, I have started to receive small gifts such as chocolates, bottles of wine or champagne. Am I entitled to accept these gifts?</td>
<td></td>
<td>Professionalism</td>
<td></td>
</tr>
<tr>
<td>I have been requested to sit in the recruitment board for a job, and one of the applicants is a person with whom I have developed a close personal relationship? What should I do?</td>
<td>You should recuse yourself. Any attempt to influence the career development of someone who is related to you, or with whom you have a close personal relationship, could lead to a conflict of interest or the appearance of a conflict of interest and should be avoided. This also applies to performance evaluations of personnel who are related to you or with whom you have close relationships.</td>
<td>Integrity</td>
<td>Personal relationships (selection committees, performance evaluations)</td>
</tr>
</tbody>
</table>
Next Steps

• Code will be in place from 1 July 2010

• Available at:
  https://hr-info.web.cern.ch/hr-info/docs/CodeOfConduct.pdf

  Related FAQ list available at:
  https://hr-info.web.cern.ch/hr-info/coc_faq.asp

• Generic e-mail address for queries:
  info-codeofconduct@cern.ch

• Dedicated communication campaign
NEW OMBUDS ROLE

Microsoft Office

erPoint 97-2003 P
CERN “Ombuds”

“Ombudsperson” - “Ombudsman” - “Mediator” - “Facilitator”

- What is the job
- Covered persons
- Source documents
- Terms of reference and mandate
- Creating awareness
- Reporting
- Steps in interpersonal relations
- Wrap-up
What is the job? 100%, 1 FTE

The Ombuds shall provide confidential assistance for the informal resolution of interpersonal issues - which should be resolved first between the colleagues concerned - in the interests of the good functioning of CERN. The Ombuds shall perform these services through counseling, mediation, consensus building and/or other conflict resolution methods.

The earlier the Ombuds is contacted, the better. I am here to help you resolve misunderstandings or conflicts, so make use of this function!

- Listening to people
- Advising people on possible ways to resolve their problem
- Resolving misunderstandings
- Mediating between parties

I will also:
- Make recommendations to the DG
- Produce an annual report on statistical information and assessment of functions
Covered persons

All members of personnel have access to the services of the Ombuds.

In addition, any other person working at or on behalf of CERN has access to the Ombuds. However, the services the Ombuds may provide must be compatible with the individual status and/or employment relationship of the person(s) concerned as well as the nature of the issue.
Source documents

Reference documents for the Ombuds’ work:
- the Staff Rules & Regulations
- the new CERN Code of Conduct

International references:

Code of Ethics and Standards of Practice, International Ombudsman Association (IOA)

Mandates of the Ombudsman of the International Organizations, United Nations And Related International Organizations (UNARIO),
[Example: Mandate of the Pan American Health Organization]
Terms of reference

Ombuds shall ensure strict:

- Confidentiality
- Neutrality
- Impartiality
- Independence

He/she shall also:

- Be open and provide assistance
- Create awareness
- Provide reports to the DG on his/her activities and systemic concerns at CERN
Confidentiality

Ombuds shall ensure strict confidentiality. This is integral to his/her role. Everyone can have the highest confidence that confidentiality will be fully respected by the Ombuds.

Nothing can be divulged to anyone without the agreement of the parties. Any pressure to do so from a third party is unacceptable.

The parties themselves, and the Organization, shall agree to follow the same rule of confidentiality in interacting with the Ombuds.

The only persons aware of the discussion will be you and the Ombuds.
Neutrality

The Ombuds is nominated by the Director-General after concertation with HR and SA, and reports solely to the DG.

The Ombuds holds no other position in the Organization, in order to avoid actual or perceived conflict of interest.

The Ombuds has no power to make decisions on behalf of the Organization. Accordingly, he/she cannot make, change or set aside a rule, regulation, policy or administrative decision.

The Ombuds is not part of the formal appeal or disciplinary process.

The Ombuds shall not intervene in matters where his/her intervention would interfere with the execution of a contract.
Impartiality

The Ombuds shall remain neutral and impartial, fair and objective.

He/she shall not take sides in a dispute or advocate for any person.

In each case, he/she shall contact all concerned persons.

The Ombuds should avoid any conflict of interest or the appearance of a conflict of interest.
Independence

The Ombuds shall be independent.

The Ombuds is given the necessary resources to accomplish his/her mission.

The Ombuds shall have access to covered persons on any matter pertaining to his/her duties.  

[Reminder: his/her power of action comes only from the agreement concluded with the parties.]

CERN supervisors are expected to ensure that their supervisees have access to the Ombuds.

Any person resorting to the assistance of the Ombuds will be protected against possible retaliatory acts.
Informal character

The Ombuds does not have powers of decision-making or formal investigation. He fulfils an informal conflict-resolution role.

Other key points:

- **Spirit of service**
  It is a job created for the people and the Organization.
- **Availability**
  Should manage his/her time to be available.
- **Information**
  Should be open to information from multiple units and people.
  Create awareness about the function.
- **Pro-activity**
  Give oral or written advice to the DG in view of promoting efficiency and recommendations to ensure avoidance or adequate resolution of conflicts.
**Mandate**

The mandate, once approved by the DG, will be published on the Ombuds’ web site.

Nominated for 3 years with possible renewal for 2 years, after concertation with HR and SA.

Upon completion of his/her service as Ombuds, the Ombuds shall separate from CERN and may not serve in any other capacity as a MP.

CERN shall assist and cooperate with the Ombuds:
- Promote awareness of the mandate of the Ombuds
- Ensure that covered persons have access to him/her
- Respect confidentiality
Creating awareness

Unfortunately, many people are reluctant to come forward with their complaints, conflicts or misunderstandings. The Ombuds should provide “easy” access, with absolute confidentiality and neutrality.

To create awareness on the Ombuds’ role, general information will be given via:

- A dedicated web site, easily accessible
- Oral presentations in the Departments
- HRAs and HR Social Service, Medical Service
- Staff Association
- CERN Bulletin (see last Bulletin)
- Reminder in general meetings

Nobody on the CERN site should be unaware of this service.
Reporting

The Ombuds shall issue an annual report on his/her activities to the DG. This annual report shall contain anonymous, statistical information with respect to individual matters, keeping strict confidentiality about cases.

The Ombuds can furnish reports at the request of DG or at his/her own initiative with a view to promoting organizational and operational efficiency. The reports should identify existing or potential problems of a systemic Nature and shall include recommendations to ensure avoidance, or adequate resolution, of conflicts.

The Ombuds will need the support of Management in listening to his/her recommendations. The Ombuds is not in charge of any possible implementation, and cannot compel anyone to implement them.
Ombuds on voluntary basis

“Interpersonal relations”

“Diversity”

Matters of Equal Opportunity and Diversity

2 different domains of action
Transition measures until end 2010

Official investigation

Possible action

INFORMAL STAGE

FORMAL STAGE

HR Public Meeting Vincent Vuillemin / CERN Ombuds
Steps in interpersonal relations

Steps:
↓ Discussion/listening, help
↓ Agreement of parties on mediation
↓ Contract decided by the parties, and final agreement
↓ Monitoring of agreement

Ombuds

Directly, or if unsuccessful:
↓ Only parties themselves will decide what they want, not Ombuds
↓ If unsuccessful, Ombuds can still make recommendations

Parties

If requested, the Ombuds can help re-establishing relationships. This could be appropriate as people may have to work together again.
Wrap-up

CERN decided to create the function of Ombuds to provide a service to the CERN community. This is an investment by CERN.

The Ombuds works for you. Make use of this function! Contact him/her as soon as possible, as conflicts are easier to resolve if addressed early.

The Ombuds offers strict confidentiality, neutrality, independence, impartiality.

Ombuds@cern.ch  
Mobile 16-0267  
Temporary office:  
Bldg 54 – R 027 until end of August  
Bldg 500 from September
Questions?