



ACFID Code of Conduct Review – Consultation Discussion Paper

Introduction

The ACFID Code of Conduct is owned by ACFID members, and its Purpose reflects their commitment to “improve international development and humanitarian action outcomes and increase stakeholder trust by enhancing [their] transparency, accountability and effectiveness.”

The Code’s Objectives are:

1. To enable high standards of practice by ACFID’s members.
2. To provide assurance to the stakeholders of ACFID’s members.
3. To enable self-regulation and influence external regulation of the sector.
4. To champion standards of good practice for a broad range of development organisations.

The [Code](#) is structured within nine high level Quality Principles. Each Quality Principle has a set of Commitments; the behaviours that apply directly to ACFID’s members, and to which members commit.

Each Commitment has associated Compliance Indicators. Good Practice Indicators describe a higher standard of practice than set out by the Compliant Indicators; these can be aspirational and provide a pathway for continual improvement overtime. The Compliance Indicators, Good Practice Indicators, and associated definitions and templates form a [Quality Assurance Framework](#), that is separate from but linked to the Code. Implementation is further supported by the Good Practice Toolkit, with additional examples, tools, templates and resources.

The Code must be relevant and reflect the broad diversity of development and humanitarian organisations working in the sector.

The Code is periodically reviewed to ensure it continues to reflect good practice and the needs of ACFID and its members. The last major review was undertaken in 2015-16. Since then, new requirements have been introduced for the prevention of sexual exploitation, abuse and harassment (PSEAH), and changes to the Quality Assurance Framework came into effect in December 2019.

Based on the feedback from ACFID members and stakeholders, the 2022-23 Review will consider whether the [Code](#) and the associated [Quality Assurance Framework](#) remain relevant, coherent, useful and credible to members and external stakeholders.

Design Principles for this Review include:

- Changes to the Code of Conduct or Quality Assurance Framework will be undertaken on the grounds of necessity, not convenience, keeping in mind the impact of changes on members' compliance requirements;
- The overall architecture and structure of the Code and Quality Assurance Framework shall be maintained; and
- The triennial compliance assessment and reporting cycle shall be maintained.

This Discussion Paper outlines key questions to guide consultations with ACFID members and stakeholders. [Visit ACFID's website](#) for more information about the Review process and the full [Terms of Reference](#).

How to provide feedback

Responses are invited from ACFID members, staff, board members, volunteers, partners, and other interested stakeholders. We encourage members to seek input from a wide range of personnel. Feedback can be provided as an organisational response or by individuals.

Responses can be provided via an **online survey**, <https://www.surveymonkey.com/r/CodeReview2223>, which will remain open until **7 October 2022**. Survey responses can be anonymous, if preferred. You may choose to respond to some or all questions, as relevant.

Written feedback can also be emailed to code@acfid.asn.au, until 7 October 2022.

Consultation sessions – This discussion paper will guide face-to-face and online consultations, scheduled for September - October 2022. [Visit ACFID's website](#) for details.



KEY ISSUES AND QUESTIONS

ACFID member organisations are diverse. The Code is underpinned by the principles of flexibility and proportionality and should be applicable and relevant to all members.

Wherever possible, please provide **specific examples** in your responses that explain the experience of your organisation and how it implements the Code. Where relevant, it would be helpful to specify the areas of the Code you are referring to, e.g., Compliance Indicator 2.4.3.

Based on existing feedback from members and current conversations in the sector, the ACFID Secretariat is anticipating that climate change, locally-led development and humanitarian action, and racial justice will be raised as critical issues as part of the Review. To progress these discussions, more specific questions have been included in the second section of this paper.

SECTION 1: General questions

A. Responsive and reflecting good practice

A key objective of the Review is to ensure the Code remains relevant in light of changing roles and practices of ANGOs.

1. *Are there parts of the Code that do not reflect current understanding of good practice?*
2. *Are there parts of the Code that are unnecessary, that should be removed?*
3. *Are there parts of the Code that are not relevant to all ACFID members?*
4. *Does the Code limit or inhibit good practice in any area?*

B. Coherence and useability

As a self-regulatory sector code of good practice it is important that the language and requirements in the Code are clear, accessible and meet the needs of all ACFID members.

5. *Does the Code have requirements that seem duplicated or conflicting, or have language that requires clarification?*
6. *How could the Code be made more user-friendly and accessible?*
7. *Are there areas of the Code where you feel that the effort of meeting and implementing requirements is disproportionate to the benefits?*



C. Upholding Code signatory status

The design principles of this Review affirm that the triennial assessment and reporting cycle shall be maintained. Other mechanisms that help ACFID members demonstrate that they are upholding the Code include: the process of application for ACFID membership; public commitment to the Code; exception reporting;; spot checks, and the complaints process.

8. *Does this combination of mechanisms ensure and give assurance that members are upholding the Code?*
9. *What improvements could be made to ACFID's existing systems, tools or resources that would help ACFID members maintain and demonstrate their Code signatory status?*

D. Relationship with other standards and regulations

The Code is both informed by and informs other global and national standards and regulations relevant to Australian development and humanitarian organisations. Where relevant and possible, the Code seeks to align with other standards to reduce inconsistencies for members. Since 2017, ACFID has conducted detailed mapping of the Code requirements in relation to the [ACNC Governance Standards](#), [ACNC External Conduct Standards](#) and [DFAT Accreditation Criteria](#).

10. *What requirements or terminology used in the Code should be better aligned with other standards or regulations?*
11. *Can you identify examples of where the Code's interaction with other standards and regulation creates extra compliance effort or anomalies in your practice? How should these be addressed by the Code?*
12. *Is your organisation a signatory to other standards that are well-aligned? Please explain what these are and any lessons from their implementation that should be considered as part of this Review.*



SECTION 2: Issue-specific questions

E. Emerging Issues

This Review aims to identify and address specific gaps in the Code, that may have emerged over the five years since the last major review.

13. *Are there areas of well-established good practice – relevant to the Code’s purpose and objectives – that are not yet appropriately captured by the Code?*
14. *What new practices or critical issues are emerging in the non-profit, development or humanitarian sectors – relevant to the Code’s purpose and objectives? How should these be reflected in the Code?*

F. Climate Change

Climate change is a critical development and humanitarian issue and priority for ACFID and our members. ACFID is committed to helping members act with clarity, consistency and urgency in responding effectively to climate change. In 2021 ACFID released the [Climate Action Framework](#), designed to help Australian international development NGOs increase their engagement and action on climate change. This framework seeks to provide a clear typology of climate actions relevant to the diversity of Australian NGOs.

Currently the Code focuses on minimising our organisations’ environmental impact as part of Quality Principle 3 ‘Sustainable Change’. This includes [Commitment 3.3](#) *We promote environmental stewardship and sustainability*. Climate change is specifically referenced in two [Good Practice Indicators](#).

- *Climate change mitigation, adaptation, and impact, and disaster risk reduction are incorporated into program strategies wherever possible.*
- *Information about the impacts of climate change and environmental sustainability issues are promoted in public communications.*

These are not required for compliance, but provide a pathway for members to strengthen and improve practice over time.

15. *Are there ways in which the Code:*
 - a. *Incentivises or supports climate action?*
 - b. *Prevents or hinders climate action?*
16. *What changes to the Code, if any, are necessary in relation to climate action? These may relate to members’ good practice in operations, programming, or policy and advocacy.*
17. *Are there other good practice standards related to climate action that should be considered as part of this Review?*



G. Locally-led Development/Humanitarian Action

Across the development and humanitarian sectors much discussion has arisen about the need for locally-led development and humanitarian action. At the global level, frameworks such as the Grand Bargain commit the humanitarian system to prioritising the leadership and capacity of local responders and the participation of communities. The *OECD DAC recommendation on enabling civil society in development cooperation and humanitarian action* calls on its adherents to ensure the involvement of local civil society actors and address power relations. Closer to home, many ACFID Code signatories are investing in local leadership, and deliberately stepping back to allow local partners and stakeholders to take the reins in the design and delivery of programs in their communities.

There is no single, agreed definition of 'localisation' or 'locally-led action', and these concepts continue to be contested. For the purpose of this discussion, it can be useful to think about locally-led development and humanitarian action as both an approach and a deliberate process. It can include recognising, respecting and amplifying the role and voice of local leadership, as well as fortifying and authentically cultivating processes to support the independence of leadership and decision making by local actors. The locally-led development movement sets out that the interests and wellbeing of the stakeholders and communities Code signatories seek to serve are better realised when work is locally-led.

At present, locally-led development is captured under [Quality Principle 2](#), 'Participation, Empowerment and Local Ownership', and is implicit across many other parts of the Code.

18. *What would effective locally-led development and humanitarian action look like for your organisation?*
19. *Are there ways in which the Code:*
 - a. *Incentivises or supports locally-led development and humanitarian action?*
 - b. *Prevents or hinders locally-led development and humanitarian action?*
20. *What changes to the Code, if any, are necessary in relation to locally-led development and humanitarian action? These may relate to members' good practice in operations, programming or policy and advocacy.*
21. *Are there other good practice standards related to locally-led development and humanitarian action that should be considered as part of this Review?*

H. Diversity, Anti-Racism and Racial Justice

In recent years there has been discussion across the sector about how to work alongside growing movements – including Black Lives Matter and Stop Black Deaths in Custody – to dismantle structures of unjust privilege, and enable inclusive and equitable workplaces. Ending poverty and social injustice requires that we confront the reality that much of

Australia's international development sector - and indeed Australian society - has its legacy in colonialism. In 2020, ACFID members affirmed their commitment to building greater representation, participation and access to decision making with peoples of varied cultural and racial origins and intersections in the sector, as outlined in [ACFID Council Resolution 1-2020](#).

Please note that language is not neutral, and the terms we employ can serve to uphold or challenge systems of privilege. Language is also dynamic. Given the current use and understanding, ACFID will use the terms diversity, anti-racism, and racial justice. ACFID acknowledges that these terms are not perfect or acceptable to everyone.

This Review will consider what role, if any, the Code and its accompanying documents and guidance could play in supporting the sector's aspirations, to better ensure that it is actively anti-racist, and people and voices of diverse backgrounds participate meaningfully.

Currently, Commitments that most relate to issues around diversity, anti-racism and racial justice are captured under [Quality Principle 1](#) 'Rights, Protection and Inclusion', [Quality Principle 7](#) 'Governance', and [Quality Principle 9](#) 'People and Culture'.

22. *Are there ways in which the Code:*
 - a. *Incentivises or supports diversity, anti-racism and racial justice?*
 - b. *Prevents or hinders diversity, anti-racism and racial justice?*
23. *What changes to the Code, if any, are necessary in relation to diversity, anti-racism and racial justice? These may relate to members' good practice in operations, programming, or policy and advocacy.*
24. *Are there other good practice standards related to diversity, anti-racism and racial justice that should be considered as part of this Review?*

SECTION 3: Additional comments

I. Other

25. *Do you have any other general reflections on the Code and its relevance or application by your organisation?*