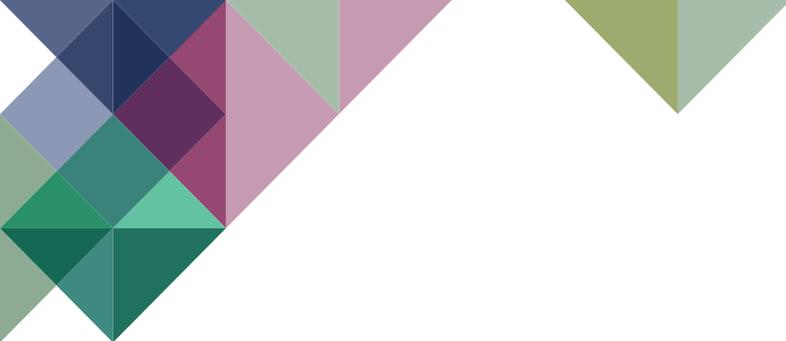


# CODE OF CONDUCT



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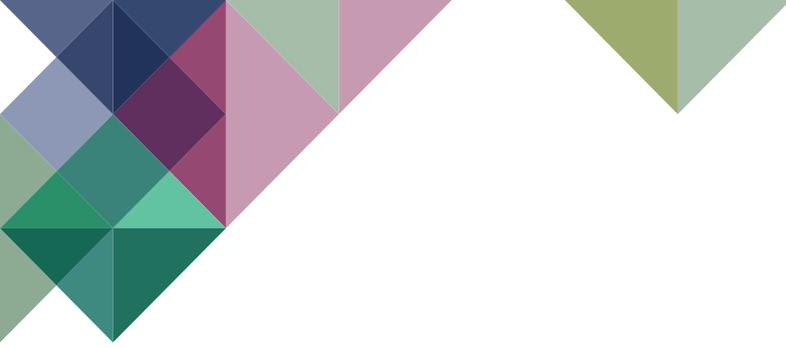
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# 1. INTRODUCTION

## 1.1 MESSAGE FROM THE ESMO EXECUTIVE BOARD

ESMO is the leading European professional organisation for medical oncology. ESMO assigns great importance to ethical behaviour and unquestionable integrity as well as responsibility for the interests of its members, officers, employees and the Society in general.

ESMO officers, employees and members are key to the Society's long-term success and reputation. This relies on all of us doing the right thing, showing respect for each other and thus creating a basis on which value can be generated for all our stakeholders.

Our Code of Conduct supports us all in maintaining the highest standards of ethical conduct and in complying with laws, binding standards and our internal policies. It will give us guidance in making appropriate decisions and creating a culture of trust in which officers and employees feel comfortable raising any issues that may arise.

The ESMO Executive Board unreservedly endorses this Code of Conduct and its implementation. Please take your time to read this document carefully and continue to apply it in your daily work. We are counting on you to commit and adhere to the principles laid out in the ESMO Code of Conduct.

Thank you for your continued support and commitment,  
ESMO Executive Board

## 1.2 GOAL OF THE CODE OF CONDUCT

With this Code of Conduct, we aim to maintain the sustained long-term success of our organisation through the appropriate conduct of every employee, officer or any other person who represents ESMO in any way (hereinafter referred to as “ESMO representatives”).

## 1.3 OUR MISSION

We support and promote excellence throughout our field of medical oncology. Our mission is as follows:

- ♦ **To improve the quality** of prevention, diagnosis, treatment, supportive and palliative care, as well as the follow-up of patients with malignant disorders.
- ♦ **To advance the art**, science, recognition, and practice of oncology.
- ♦ **To disseminate knowledge** in oncology to cancer patients and the public.
- ♦ **To educate and train persons** involved in clinical cancer care and research.
- ♦ **To promote education** in oncology in order to ensure a high standard of qualification of medical oncologists within the multidisciplinary team.
- ♦ **To facilitate equal access** to optimal cancer care to all cancer patients.
- ♦ **To maintain liaisons** with other oncology specialities, cancer leagues, universities, patient groups and, where appropriate, the pharmaceutical industry.

## 1.4 OUR VALUES

The following values have been identified as being core values for ESMO:

- ♦ **Integrity**

As a professional society that aims to represent professionals' interests, ESMO is governed by integrity in all its activities.

All employees, officers and representatives are expected to work with integrity and honesty (without compromising the truth) for the benefit of the Society toward the fulfilment of ESMO's mission.

Integrity implies and cannot be obtained without a strong commitment to the additional values of **transparency, trust and merit-based criteria**.

- ESMO is committed to apply **transparency** in all its processes, relationships and communications. This will for instance be applied to officers' disclosure of conflicts of interests, officers' elections, sharing of decisional processes with staff.
- ESMO is committed to base the work relationship among staff members, managers, officers and representatives on reciprocal **trust**.
- Trust is applicable both to internal activities (i.e. office time) as well as to activities which have a direct impact on daily work (good faith of decisions received and members' data confidentiality).
- ESMO is committed to promote and support professional development according to individuals' interests **based on professional merit criteria**. This is applicable, for example, to the employee selection process and continuous professional development/ career advancements, to the officers' selection process, to fellowships, awards and travel grants awarded.

#### ◆ **Commitment**

ESMO is committed to direct all its activities toward the accomplishment of ESMO's mission.

All representatives working for ESMO (whether employees or volunteers) are expected to share the **same commitment** toward the Society and to its mission.

For officers, this means, for example, participating in meetings and scheduled appointments and the dedication of time and energy to produce the best quality of service.

For employees, this means working to the best of one's capabilities to produce the highest quality services, in agreement with ESMO's strategic direction.

Commitment to ESMO activities is based on a **solidarity** principle: working together and **supporting** each other to accomplish the common goal of fighting against cancer. Reciprocal **support and collaboration** is the base for working relationships between employees and ESMO members, among employees (i.e. work in team and inter-departmental work), between employees and officers (i.e. collaborative projects) and among officers (i.e. committee activities). In addition, ESMO is also committed to be supportive of members coming from resource-restricted countries.

#### ◆ **Accountability**

As a member-based society, ESMO is accountable to its members.

Employees and volunteer officers are responsible for the actions and the decisions they take.

This means for instance that committee members are responsible for quality of project development and results of projects they have been tasked with; employees are responsible for the activities assigned according to their role and level of seniority within the Society.

#### ◆ **Excellence**

As claimed in ESMO's mission, ESMO strives to achieve excellence in all its activities.

All representatives should contribute in their respective role and capability toward the achievement of this goal, whether they are volunteer officers or staff members.

Excellence is not a stand-alone principle but embraces and is the result of working with all the above mentioned principles, namely **integrity, commitment and accountability**.

## **1.5 RESPONSIBILITIES FOR ESMO EMPLOYEES, ESMO OFFICERS AND ESMO REPRESENTATIVES**

This Code of Conduct is binding for all employees, officers and any other person who represents ESMO in any way. Whenever we engage with third parties we ensure that they are aware of the Code of Conduct and apply it accordingly. Certain topics covered in this Code of Conduct may be further detailed in specific policies. Breaches of the Code of Conduct must be reported to your line manager or via the confidential reporting procedure. Failure to comply with the Code of Conduct may result in disciplinary action, such as reprimand, dismissal, or civil or criminal prosecution.

[Reporting Policy](#)



# 2. STANDARDS AND RULES

## A. CONDUCT IN OUR WORK

### 2.1 Business Integrity

#### 2.1.1 Compliance with internal and external rules and regulations

ESMO is committed to its mission and core values in everything it does. Moreover, ESMO expects all of its representatives to strictly comply with applicable laws and binding standards. Non-compliance with any internal or external rules and regulations may not only damage ESMO's reputation but may even threaten its very existence. It is everyone's responsibility to prevent and promptly report the occurrence of unlawful or unethical conduct regarding ESMO's activities. Any violation of internal or external rules and regulations will be sanctioned and may not only lead to disciplinary actions but may also be subject to civil or criminal prosecution.

#### 2.1.2 Procurement

Our business partners have a commercial, long-term interest in the business relationship with ESMO. We respect this and work to create a win-win situation. We expect every ESMO representative to follow and adhere to the relevant procurement procedures and the terms as defined in the ESMO Supplier Selection Procedure, establishing the process for the selection, evaluation, approval and re-evaluation of vendors.

[Supplier Selection Procedure](#)

### **2.1.3 Hiring of staff and external consultants**

Staff working for ESMO should be selected and hired on an independent and objective basis. Furthermore, the hiring and selection of external consultants requires due diligence since persons who represent ESMO in any way are subject to the provisions of the Code of Conduct and our internal rules as well.

Before hiring a consultant, consider whether this person is a suitable counterparty for ESMO and include appropriate contractual terms. Every ESMO representative is required to ensure that there is a proper contract in place that defines all relevant terms and guides the relationship between ESMO and the consultant. Such terms include but are not limited to: Start of contractual relationship, deliveries and milestones, terms of payment as well as responsibilities with regard to the supervision of the parties' compliance with the contractual terms defined.

Payments of expenses and fees to consultants require respective recordings and documentation and must be approved by the Head of Finance and Administration prior to execution.

The terms as defined in the ESMO Supplier Selection Procedure, establishing the process for the selection, evaluation, approval and re-evaluation of vendors also apply to the hiring of consultants accordingly.

[Supplier Selection Procedure](#)

## **2.2 Accuracy of Records and Reporting**

### **2.2.1 Expenses of employees**

ESMO expects all employees to ensure that expenses are appropriate and reasonable.

Business-related expenses may include expenses for travelling, meals and accommodation and are reimbursed in accordance with the ESMO Expense Policy for employees and the ESMO Expense Manual as a supplemental policy for managing personnel. Expenses that are not considered to be business-related will not be reimbursed by ESMO.

[ESMO expenses policy](#)

### **2.2.2 Expenses of officers**

ESMO expects all officers to ensure that expenses are appropriate and reasonable. Business-related expenses may include expenses for travelling, meals and accommodation and are reimbursed in accordance with the ESMO Officers Reimbursement Policy that applies to ESMO officers. ESMO officers are persons who serve on an ESMO Committee, Working Group or Task Force.

[ESMO Officers Reimbursement Policy](#)

### **2.2.3 Approval process**

Your line manager is responsible for the approval and authorisation of all travel time, participation in meetings and associated costs and other expenses. He /she will check and approve the completeness as well as the accuracy of the supporting documentation.

### **2.2.4 Review process**

In order to ensure the accuracy of records and respective reporting, there is a segregation of duty between the employee claiming expenses, the line manager (who approves absences and associated expenses) and the Finance & Administration department (which controls the respective expense claims). The Finance & Administration department will check the expense claims according to the following criteria:

- Adherence to travel expense policy, including business purpose
- Mathematical correctness
- Reasonability of costs
- Documentation by original receipts.

The Finance & Administration department will preserve all the underlying documentation for 10 years.

[Internal Control Manual \(ICS\)](#)

### **2.2.5 Appropriate retention of records**

The recording of data, as well as the preservation of records, needs to be done properly. Under no circumstances are records to be destroyed selectively or maintained outside of ESMO premises or designated storage facilities and tools.

## 2.3 Conflict of Interests

ESMO employees, officers and representatives are expected to act in the best interests of the organisation. It is fundamental for ESMO to be an independent, impartial organisation. Sometimes, an individual's knowledge of, and position within, ESMO can cause potential conflict of interests with the outside world. Conflicts of interests can occur on an organisational and on a personal or institutional level.

### 2.3.1 ESMO Organisational level

An organisational conflict of interests may arise in circumstances where ESMO performs other activities or has other relationships that might harm its independence as an organisation. In other words, the organisation's objectivity might be impaired.

### 2.3.2 Personal or institutional level

A personal conflict of interests is a situation where a person's private interests, such as outside professional relationships or personal financial assets, interfere or may be perceived to interfere with his/her performance of official ESMO duties. An institutional conflict of interests is a situation where a person's interests as the head of an institutional department or unit, such as unrestricted research grants to the institute, interfere or may be perceived to interfere with the work they are doing for ESMO. In other words, your personal or institutional relationships or interests must not affect your professional activities and duties within ESMO.

### 2.3.3 Disclosure and Declaration of Interests

As an ESMO employee you are expected to disclose any actual, potential, real or apparent conflict of interests and seek a solution together with your line manager.

As an ESMO officer and as an ESMO senior staff member (CEO, COO, CMO or line manager), you are expected to disclose all of the following interests and relationships according to the ESMO Declaration of Interests Policy:

#### Personal financial interests

- Company leadership role, employment relationship or ownership interest
- Consulting and advisory services, speaking or writing engagements, public presentations
- Direct research support to the responsible project lead (e.g. Principal Investigator)
- Licensing fees or royalties associated with Intellectual Property (IP) interests

## **Institutional financial interests**

- Financial support for clinical trials or contracted research

## **Non-financial interests**

- Senior leadership roles in other medical societies, research groups, foundations, political pressure groups, etc.
- Involvement or advisory role with, or membership of, medical, pharmaceutical, healthcare science, health policy/communication and similar activities organisations/foundations - or non-remunerated Principal Investigator function in clinical trial or project lead
- Membership of, or affiliation with, political/pressure groups or associations active in the field of oncology
- Non-remunerated leadership role in companies

As a violation of internal rules and regulations, the non-declaration as well as the false declaration of known conflicts of interests will be pursued and sanctioned accordingly.

[Declaration of Interests Policy](#)

[Declaration of Interests online platform](#)

## **2.4 Gifts and Invitations**

At ESMO, we conduct our business fairly, relying on the merits of our services and employees. It is not appropriate, and may be illegal, to accept unreasonable gifts and invitations. Furthermore, we must not try and influence a person to make a decision in ESMO's favour by offering a payment, an unusual gift or any other benefit.

### **2.4.1 Accepting gifts and invitations**

When dealing with business partners and suppliers, we are sometimes offered gifts or invitations. Such gifts and invitations should in no way influence a specific business relationship. At ESMO, we never accept cash. We do not accept gifts or any other unreasonable benefits such as invitations from third parties that could potentially imply an obligation to them. If you are offered an unreasonable or illegal gift, invitation or benefit, you are expected to immediately inform your line manager who will take a decision, maybe after consultation with the Executive Board.

### **2.4.2 Giving gifts and providing invitations**

Gifts given and invitations provided by ESMO representatives to third parties must not

prejudice the professional independence of the recipient either in fact or by implication. When giving gifts or providing invitations, the following must be borne in mind:

#### EXAMPLE

Gifts and invitations can be divided into the following categories:

#### **Usually permissible**

The following gifts and invitations are usually permissible without prior approval:

- Business meals: Modest, occasional meals with business partners;
- Invitations to relevant events: Occasional attendance at subject matter events relating to ESMO's mission.
- Gifts: Gifts of little value, such as small promotional gifts.

#### **Self-Check**

You should ask yourself the following questions in order to check whether or not a gift or an invitation is reasonable:

- Intent: Is the gift / invitation intended to merely consolidate a business relationship or could the objectivity of the recipient be influenced by it?
- Value and frequency: Is it a modest and occasional gift / invitation or could an obligation arise from it for you or a third party related to ESMO?
- Legality: Are you sure that the gifts / invitation complies with the applicable legislation both in your own country and in that of the donor?
- Transparency: Would you be embarrassed if your line manager, your colleagues or persons outside of the organisation learned about the gift / invitation?
- Reasonable: Are you applying consistent standards?

#### **Not permissible**

- Gifts / invitations that are more than CHF 100.
- Gifts of cash or pecuniary benefits (e.g. gift vouchers, loans, shares, stock options).
- Invitations that are of an immoral or sexual nature.

## **2.5 Political activity and Lobbying**

All lobbying activities in which ESMO engages must be in compliance with ESMO's mission and core values. Furthermore, lobbying must be in adherence with applicable laws and regulations with regard to transparency in terms of the definition of targets, registration regulations, spending disclosures, electronic filings, public access, enforcement and revolving door provi-

sions as may be provided by relevant jurisdictions. Political lobbying is managed by the Public Policy Committee, whose chair reports on their activities to the ESMO Executive Board.

## **2.6 Bribery and Corruption**

### **2.6.1 Bribery**

Bribery relates to improper payments for illegal purposes. Giving or asking for money or favours in order to influence the judgment or conduct of a person is strictly prohibited. This applies not only to direct payments, but extends also to indirect payments made in any form through consultants or other third parties.

### **2.6.2 Facilitation Payments**

A facilitation payment is a financial payment to a government employee or official that is made with the intention of expediting an administrative process. ESMO strictly prohibits any facilitation payment. This prohibition applies not only to direct payments, but extends also to indirect payments made in any form through consultants or other third parties.

## **2.7 Confidentiality**

### **2.7.1 Protecting confidential information**

ESMO has a variety of confidential information. Such confidential information represents a significant asset to our organisation that requires active protection. Every ESMO representative must take appropriate steps to protect this kind of information and may not disclose it to people outside of the organisation, unless such disclosure has been approved the ESMO Executive board in advance in writing.

Any unauthorised disclosure of confidential information will be pursued and sanctioned accordingly.

The obligation to protect ESMO's confidential information continues even after the termination of an employment or any other contract entered into by an ESMO representative.

### **2.7.2 Privacy**

ESMO is committed to protect the privacy and integrity of all our stakeholders. ESMO respects their privacy rights and privacy laws. All personal data will be processed fairly and transparently and in compliance with applicable data privacy laws.

## **2.8 Protecting ESMO's Assets**

### **2.8.1 Care of ESMO's assets**

Any ESMO employee, officer and representative may be granted access and use of certain ESMO property such as computers, mobile phones and other company property assets. You are expected to respect and protect ESMO's property rights with regard to its infrastructure and any equipment you are provided. ESMO's assets must be treated with care and may only be used for legitimate business purposes and not for private activities or personal gain.

### **2.8.2 Proper business use of internet and communication tools**

Unless otherwise specified, e-mail, internet and social media shall only be used for legitimate business purposes. The content of e-mails and documents we create and the data we access over the internet must always be appropriate. E-mail, internet and social media must not be used to access or disseminate illegal, offensive, disruptive or potentially discriminating content.

[IT Policy](#)

### **2.8.3 Respecting ESMO's intellectual property rights**

All organisations should protect their intellectual property to prevent misuse of the organisations assets. The ESMO name, branding and copyright registered by ESMO are the society's intellectual property. Use of the society's intellectual property by other organisations can only be authorised by the ESMO Executive Board and must be subject to a written agreement authorised by the society's legal signatories.

The intellectual property developed by ESMO belongs to the organisation. All ESMO representatives must be alert in identifying relevant intellectual property, taking appropriate steps to protect it and making sure it is used in accordance with ESMO's rules and for the benefit of ESMO.

### **2.8.4 Persons speaking on behalf of ESMO**

Persons speaking on behalf of ESMO must respect its intellectual property rights such as copyrights and trademarks when using ESMO's name, logo and other branding material. The ESMO intellectual property must not be used without official written permission of the ESMO Executive Board. Persons speaking on ESMO's behalf must also respect its interests and opinions. Whenever a person is speaking on ESMO's behalf but giving a personal opinion rather than representing ESMO's interests and opinions, they must be clear on the fact that they are sharing their personal view rather than ESMO's.

## **B. INTERPERSONAL RELATIONSHIPS**

### **2.9 Workplace Responsibilities**

Everyone at ESMO is entitled to fair and respectful treatment. ESMO appreciates your commitment and loyalty to our organisation and aims to ensure that every ESMO representative is treated fairly, respectfully and equally in the workplace. Any form of discrimination, harassment or abuse is prohibited and will be sanctioned accordingly.

When engaging with business partners, members or any other third parties, ESMO expects its representatives to ensure that such relationships are characterised by mutual respect, fairness, support and professionalism.

### **2.10 Equal employment opportunities**

ESMO is committed to provide equal opportunities within the ESMO organisation regardless of race, ethnicity, religion, disability, age or sexual orientation. Professional development of employees and the selection of ESMO Officers should be based on professional merit criteria.

### **2.11 Harassment**

Any form of harassment with the intent or effect of creating a hostile or intimidating work environment, interfering with an individual's work performance in an unreasonable way or affecting an individual's employment opportunities is prohibited. ESMO does not tolerate any conduct that relates to sexually harassing a colleague by making unwanted sexual advances, requesting sexual favours and / or physical contact or behaving in any other sexually offensive way.

### **2.12 Discrimination**

ESMO does not tolerate any conduct that relates to the humiliation, denigration or injury of another person because of racial, ethnic, religious, disability-related or age-related differences or sexual orientation.

## **C. CONDUCT TOWARDS THE ENVIRONMENT AND SOCIETY IN GENERAL**

### **2.13 Corporate Social Responsibility**

ESMO is committed to doing business in a sustainable and socially as well as environmentally responsible manner.

#### **2.13.1 Protection of the environment**

Conducting our activities, we take into consideration the efficient and responsible use of energy and materials and the responsible disposal of residual waste.

#### **2.13.2 Safe workplace**

The health and safety of all employees, officers and representatives is of the utmost importance to ESMO. We act responsibly to protect and preserve a healthy and safe workplace for every ESMO employee.

#### **2.13.3 Healthy lifestyle**

In our role as the leading society in medical oncology, ESMO is committed to protect the health of people and works to maintain a healthy workplace for all ESMO employees. We invite all ESMO representatives to support ESMO's interest in, and commitment to, a healthy lifestyle and encourage everyone to refrain from smoking and other health-damaging activities, especially during ESMO activities. Also in this respect we fight against cancer.



# 3. UPHOLDING THE CODE OF CONDUCT

## 3.1 Implementation and Training

### 3.1.1 Implementation

ESMO is committed to effectively implement the values, principles, standards and rules set out in the Code of Conduct. The Executive Board and management personnel act as role models in complying with the Code of Conduct.

### 3.1.2 Training on the Code of Conduct

All ESMO representatives will regularly receive information and training on the Code of Conduct. Such training is organised by the ESMO managing personnel and takes place in regular intervals as deemed appropriate by the ESMO Executive Board.

### 3.1.3 Internal Control

The Executive Board is responsible for ESMO's Internal Control System. It has established an appropriate control structure and process for identifying, evaluating, monitoring and managing significant risks that may affect the achievement of the organisational objectives. ESMO acknowledges its duty to maintain an effective system of internal control which provides reasonable assurance of the achievement of business objectives, of the reliability of information used for reporting, of the safeguarding of resources, and of compliance with laws and regulations.

The Internal Control Manual provides guidance for management and staff on how to perform their control activities.

[Internal Control Manual](#)

## 3.2 Compliance with the Code of Conduct

### 3.2.1 Reporting procedure

ESMO expects every employee and officer to immediately report any suspicious activity that may involve a suspected violation of the Code of Conduct. You can report a suspected violation to your line manager or via the confidential reporting procedure. If you have doubts whether a specific conduct complies with the Code of Conduct, you can discuss this with your line manager or raise the question via the confidential reporting procedure. Further information on the use of the reporting procedure can be found in the policy.

[Reporting Policy](#)

### 3.2.2 Protection from retaliation

All reports will be treated confidentially and will be further investigated if necessary. Reporting of suspicious activities has to be done in good faith. ESMO guarantees that there will be no retaliation for making reports in good faith. This also applies if the investigation provides that no such violation has been committed.

### 3.2.3 Violations and sanctions

Besides a direct violation of the Code of Conduct, a breach of this Code of Conduct is also committed if:

- a. an ESMO representative tolerates violations of the Code of Conduct.
- b. an ESMO representative withholds important information in the event of a potential violation of the Code of Conduct upon explicit request.
- c. an ESMO representative approves or tolerates a violation of the Code of Conduct or discriminates against employees who have reported a violation in good faith.

Violations of the Code of Conduct may result in disciplinary action, such as reprimand, dismissal, or civil or criminal prosecution.

# 4. APPENDIX

## REFERENCE TO DETAILED POLICIES

Reference to detailed policies

- ◆ [ESMO Bylaws](#)
- ◆ [Declaration of Interests Policy](#)
- ◆ [ESMO Officers Reimbursement Policy](#)
- ◆ [Expenses Policy](#)
- ◆ [Internal Control Manual](#)
- ◆ [Internal Rules and Regulations for the Lugano Office](#)
- ◆ [IT Policy](#)
- ◆ [Reporting Policy](#)
- ◆ [Supplier Selection Procedure](#)

# ACROSS ONCOLOGY. WORLDWIDE.

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