Code of Ethics
UES ARTE France

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Company Commitments

In June 2022, ARTE France enshrined its *raison d'être* in its articles of association: "*As the French arm of ARTE, a Franco-German channel and platform with a European remit established by an inter-state treaty, ARTE France serves all audiences, in all their diverse ways of engaging with content. As an independent organisation, it offers narratives and portrayals of the world that analyse the issues and challenges facing our societies, bring Europeans closer together through culture and unite them around humanist values. Its close collaboration with creators aims to promote bold and socially engaged French and European works. It prioritises consultation, cooperation and networking, and* ***strives to act in line with the values the channel promotes on screen****, particularly those relating to environmental protection.*"

- In line with these values, UES ARTE France and its senior management are committed to carrying out their **professional activities fairly and ethically, with the utmost integrity**.
- This Code of Ethics forms part of this approach, serving as a common reference point and helping each of us **to behave professionally on a day-to-day basis and in line with our values**.
- Ethics and compliance **are the responsibility of us all** and apply to everyone, **whether managers or staff, regardless of their roles and responsibilities.**

Objectives and scope

Objectives

This Code of Ethics sets out the **professional conduct** expected of all staff at UES (Economic and Social Unit) ARTE France, taking into account the role they perform within the organisation.

It **complements the legislative and regulatory provisions in force, as well as the organisation's internal rules** (such as the Rules of Procedure, Financial Regulations, Code of Good Procurement Practice, Whistleblowing Procedure, Rules on Non-Programme Procurement, etc.). Within each area, these supplementary provisions are listed under the "Further information" heading.

One of the main aims of this Code is to prevent certain risks that could expose both the employee and the Company to disciplinary, legal (criminal, civil) and/or reputational sanctions.

Scope

- The Code of Ethics forms an integral part of the Company's Rules of Procedure; **it applies to and is binding on all employees of UES ARTE France** (hereinafter referred to as the "Company") as specified in the employment contract.
- Other **staff members** who are required to work with the Company (e.g. contractors) and who are subject to its Rules of Procedure **must comply with the Code of Ethics**.
- In the event of any doubt regarding the interpretation of these rules and recommendations, staff members may contact the Company's Ethics Officer (referentethique@artefrance.fr) as well as the other key contacts: (Human Resources Department (HRD), Legal Department (LD), Finance Department (FD)

Key areas

Combating fraud and corruption

What is internal fraud?

Internal fraud refers to fraudulent activities committed by one or more of the Company's staff members. These fraudulent activities may include the manipulation of financial data, misappropriation of assets (theft), falsification of documents or other forms of illegal or unethical behaviour with the aim of personal gain or causing harm to the company.

What is corruption?

Corruption is behaviour whereby offers, promises, donations or gifts are solicited, accepted or received for the purpose of performing or refraining from performing an act, or of obtaining special favours or advantages.[1]

What is the rule?

Any act of fraud or corruption is strictly prohibited.

Some practical recommendations

Staff undertake:

- not to use the Company's resources for private purposes.
- to comply with the rules of the Code of Ethics set out below
- to comply with internal procedures[3]
- not to commit the Company beyond the scope of their signing authority[2] and their role within the Company.

Find out more

[1] Glossary – French Anti-Corruption Agency https://www.agence-francaise-anticorruption.gouv.fr/fr/lexique

AFA Guidelines https://www.agence-francaise-anticorruption.gouv.fr/files/files/Recommandations%20AFA.pdf

[2] General signing authority of ARTE France

[3] in particular Rules of Procedure, Financial Regulations, Mission and Entertainment Expenses, Rules on Non-Programme Purchasing

If in doubt, contact the ethics officer (referentethique@artefrance.fr)

Warning system

Prevention of conflicts of interest

What is a conflict of interest?

The existence of a personal interest which, if it interferes with the role performed within the Company, is likely to influence, or appear to influence, the impartial performance of that role on behalf of the Company.[1]

What should you do?

- Inform your line manager of any connection that could give rise to a conflict of interest or be perceived as such. The matter will be brought to the attention of the ethics officer for review and to ensure appropriate measures are put in place where necessary (using the conflict of interest form).
- Staff members with signing authority who find themselves in a conflict of interest situation may not act on behalf of the Company. Their signing authority is therefore suspended for the matter in question.

Some practical examples

I am involved in choosing the programmes for my Unit. A member of my family is involved in one of the programmes being considered. What should I do?
➔ *I must report this – immediately and formally – to my line manager and must not take part in the approval of the project without formal consent.*

A service provider asks me to give preferential treatment to a family member's CV for a post within the company. How should I respond?
➔ *I inform the service provider of ARTE's recruitment policy and ask them to submit the application via the dedicated recruitment website.*

I receive a gift (see relevant section) with an estimated value of €60 or more from a third party (competitor, supplier, client, service provider) with whom the organisation has a contractual relationship. Whom should I inform?
➔ *I report it to my line manager and, if in doubt, to the ethics officer, to determine how to respond.*

A close relative/friend of mine runs a company that may be bidding for a contract with ARTE. Is it forbidden to enter into a contract with this company?
➔ *No, but I must disclose this connection to the person responsible for the tender process or to my line manager and must not interfere in any way with the procurement process at any stage.*

Further information

[1] Practical guide "Conflicts of Interest in the Workplace" – French Anti-Corruption Agency (" here ")

Article III-5. Cross-holdings / Collective Labour Agreement of the ARTE France Economic and Social Unit (September 2018)

Article 5. Prohibition of conflicts of interest / General signing authority

Conflict of Interest Prevention Policy

Conflict of Interest Form

If in doubt, contact the ethics officer (referentethique@artefrance.fr)

Warning system

Rules on gifts

Gifts

Gifts (items, services, benefits) may be seen as a customary courtesy in professional relationships (e.g. suppliers of goods or services, audiovisual producers, or operators entering into a business relationship with the Company), but their acceptance must comply with certain rules so as not to be perceived as intended to obtain or grant an inappropriate advantage, nor be such as to influence a decision or give rise to a suspicion of a conflict of interest.

What are the rules?

- **Gifts in the form of money are not permitted**. They must therefore be systematically refused.
- Gifts must be delivered to the Company's premises.
- **Valuable gifts** (bottles of spirits, high-end food products, jewellery, etc.) **are permitted up to an estimated value of €60**. Best practice guidelines encourage such gifts to be shared amongst colleagues within the department. Any gift exceeding the set amount must be reported to the line manager and the ethics officer, who will decide whether to return the gift to the Company or to accept it for collective use within the department.
- Courtesy gifts of symbolic value (low-value items such as calendars, pens or other advertising or promotional items) may be accepted.

NB: in the context of a public procurement procedure, please refer to the section on 'Relations with business partners, service providers or suppliers – Public procurement'

What should you do?

Anyone who is offered a gift or an invitation should consider the following points:

- What is the approximate value of the item? Is it reasonable? Would I feel embarrassed if my colleagues found out I had received it? Have other gifts or invitations been offered by the same person or organisation in recent months? Are the gifts or invitations, by virtue of their value or frequency, likely to affect the performance of my duties or damage the organisation's reputation?
- In what context is this offer being made? Is the gift or invitation being offered as a courtesy, for commercial purposes, or with a view to obtaining something in return? At what stage are they being offered (e.g. during a public procurement procedure)?

For further information

Practical guide to gifts and invitations in companies, EPICs, associations and foundations – French Anti-Corruption Agency
https://www.agence-francaise-anticorruption.gouv.fr/files/files/Guide%20pratique%20politique%20cadeaux%20et%20invitations.pdf

If in doubt, contact the ethics officer (referentethique@artefrance.fr)

Warning system

Rules on invitations

Invitations

Invitations may be seen as a customary courtesy in professional relationships (e.g. suppliers of goods or services, audiovisual producers, or operators entering into a business relationship with the Company), but their acceptance or offer must comply with certain rules so as not to be perceived as intended to obtain or grant an inappropriate advantage, nor be such as to influence a decision or give rise to a suspicion of a conflict of interest.

What are the rules?

- **Invitations to restaurants**

These are subject **to a reporting requirement** to the line manager. It is permissible to accept an invitation to a restaurant provided the cost remains within a reasonable limit (maximum €60). The ethics officer must be informed retrospectively if the cost of the invitation ultimately exceeds €60 or if the frequency of such invitations is unusual.

- **Invitations to travel**

These are subject to **prior approval** from the line manager. Participation in external events at the invitation of a third party is permitted provided that they are **strictly professional**. However, staff members must take care not to place themselves in a position of obligation towards the third party, by avoiding having their travel, accommodation and meal expenses covered (with the exception of festivals). The ethics officer must be informed retrospectively if the frequency of such invitations is unusual.

Invitations relating to leisure activities, such as sporting events, must remain exceptional and be of a reasonable nature (estimated cost of €60 maximum).

NB: in the context of a public procurement procedure, please refer to the section on ' Relations with business partners, service providers or suppliers – Public procurement '

What should you do?

See the "Gifts" slide

For further information

Practical guide to gifts and invitations in companies, EPICs, associations and foundations – French Anti-Corruption Agency
https://www.agence-francaise-anticorruption.gouv.fr/files/files/Guide%20pratique%20politique%20cadeaux%20et%20invitations.pdf

If in doubt, contact the ethics officer (referentethique@artefrance.fr)

Warning system



Framework for patronage, sponsorship and partnerships

Patronage

Patronage is an altruistic donation: it involves providing material and/or financial support, for no direct consideration (other than symbolic or low-value consideration) on the part of the beneficiary, to a cause or a person for the pursuit of activities in the public interest.[1]

Sponsorship

Sponsorship is a commercial activity: it involves providing material and/or financial support for an event, a person, a product or an organisation with a view to deriving a direct benefit (usually in the form of visibility).

Partnership

A partnership is a commercial arrangement enabling parties with a mutual interest in cooperating to achieve a common objective.

ARTE France enters into media partnerships based on the principle of an exchange of reciprocal services of equivalent value between the parties, with payment for the services made by way of compensation.

What is the rule?

Patronage and sponsorship initiatives are strictly regulated by the Company. Any new initiative must always be approved by the Director of Administration and Coordination and be subject to a contract approved by the Legal Department (LD) in accordance with the signing authority rules.[3]

What is the rule?

Standard contracts have been drawn up for media partnerships. The approval and signing procedure is set out in the general signing authority rules.[2]

For other partnerships, any new initiative must be authorised and subject to a contract approved by the LD in accordance with the signing authority rules.[3]

Find out more

[1] What is patronage? – Ministry of Culture https://www.culture.gouv.fr/Thematiques/Mecenat/Qu-est-ce-que-le-mecenat

[2] Article 1.7 Media Partnership Contracts / General Signing Authority

[3] Article 1.2 Non-Programme Contracts and Letters of Agreement / General signing authority

If in doubt, please contact the Legal Affairs Department

Warning system

Relations with business partners, service providers or suppliers – Public procurement

ARTE France and ARTE France Cinéma: entities covered by the Public Procurement Code

ARTE France and ARTE France Cinéma are contracting authorities within the meaning of the Public Procurement Code. Consequently, the supply of most goods, services and works must be put out to tender, particularly for non-Programme purchases, in accordance with the thresholds set out in the regulations.

The regulations stipulate[1], in particular, that:

- Bid selection must be based on the concept of the most economically advantageous bid, which may be defined as the "best value for money".
- Tendering procedures must be conducted in accordance with public procurement principles: free access to public procurement, equal treatment of tenderers, and transparent procedures.

What to do:

- Any conflict of interest or potential conflict of interest must be reported (see the "Conflict of Interest" section). Depending on the assessment of the situation, the staff member concerned must be excluded from the various stages of the procurement process (drafting of requirements, bid analysis, tender committee).
- **During the candidate selection period (i.e. from the launch of the procurement procedure until the contract is signed), staff members directly or indirectly involved in the procurement process must refuse any gift or invitation of any kind from a candidate.**
- Strict confidentiality must be observed in dealings with potential candidates during the preparatory phase of a tender procedure. No information regarding preliminary studies, the constituent parts of the tender documentation or the conditions for its preparation may be disclosed.

Further information

[1] Ordinance No. 2018-1074 of 26 November 2018 on public procurement

Rules for Non-Programme Procurement

Code of Good Practice in Procurement

If in doubt, contact the Procurement Unit

Warning system

Rule on facilitation payments

What is a facilitation payment?

A facilitation payment is a sum paid by a member of staff of the Company (or a third party or partner acting on behalf of ARTE), to a public official in order to obtain, facilitate or expedite a routine or necessary administrative procedure[1] (issuing a permit or visa, customs clearance of goods, or an administrative formality)

What is the rule?

Facilitation payments are prohibited within the Company insofar as they are considered acts of corruption under the main anti-corruption laws.[1]

Some practical recommendations

Except in cases where payments are demanded under duress or where a staff member's integrity or safety is at risk, the Company expects staff:

- to be mindful of the reasons for any payments requested, and to always obtain a receipt specifying the reason for the payment;
- in the event of an inappropriate request, to politely refuse the request and refer to this Code of Ethics;
- to inform their line manager and the ethics officer immediately, to ensure the matter is followed up and the process is traceable.

Further information

[1] An overview of facilitation payments https://www.agence-francaise-anticorruption.gouv.fr/files/files/Paiements%20de%20facilitation_AFA_102023.pdf

If in doubt, contact the ethics officer (referentethique@artefrance.fr)

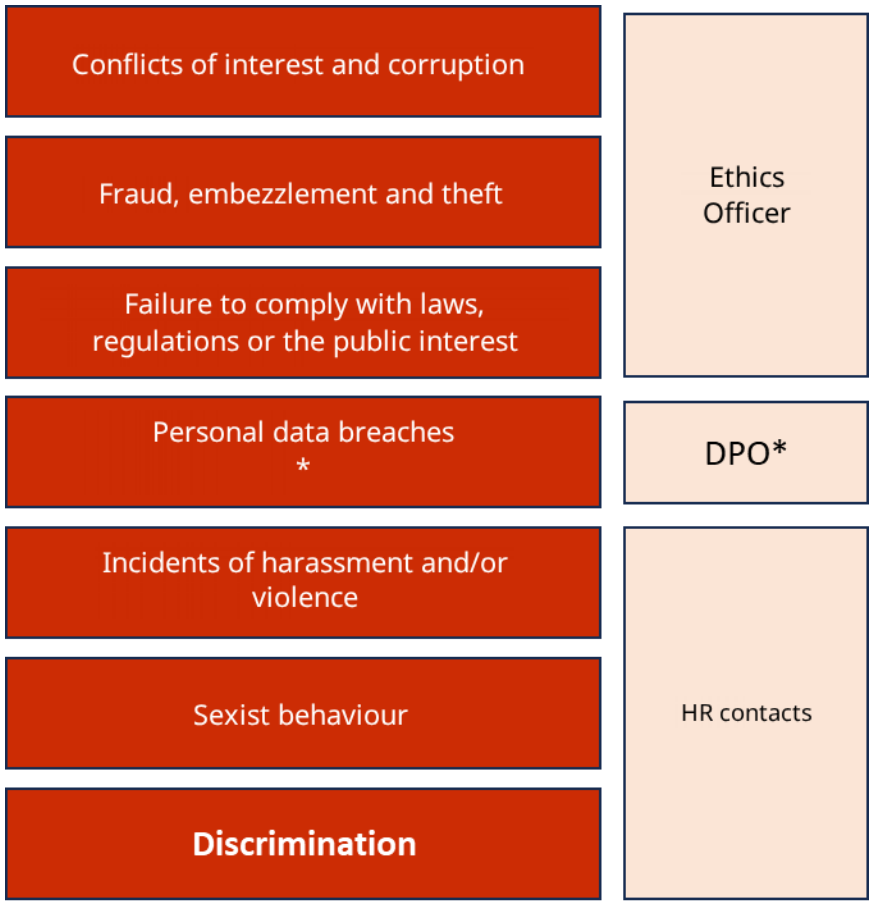
Warning system

Internal warning system

It is essential that all staff members are able to:

- Recognise actions that constitute or may be perceived as constituting a breach of the law or of this Code of Ethics.
- Report possible breaches so that ARTE France can investigate and, where necessary, take corrective action.

The Company's internal warning system is designed to receive reports concerning conduct or situations that are in breach of the law and the provisions of the Code of Ethics, and, by extension, reports for other breaches (see the table opposite for the various categories and points of contact.)



*Data Protection Officer

Further information

Reporting procedure

The reporting platform can be accessed here: https://arte.besignal.com/?lng=en

Disciplinary measures

Failure to comply with the rules makes the staff member personally liable and exposes them to the disciplinary sanctions set out in the Company's Rules of Procedure.

Where applicable, the staff member may also face criminal prosecution.

Further information

Rules of Procedure

Appendices

Appendix 1: Glossary

Term	Definition / Explanation
Corruption	Behaviour whereby offers, promises, donations or gifts are solicited, accepted or received for the purpose of performing or refraining from performing an act, or of obtaining favours or special advantages.
Influence peddling	Carrying out any action (such as invitations, donations, gifts, promises or benefits of any kind) intended to compromise the objectivity and transparency of a decision-making process for the direct or indirect benefit of the Company and/or its partners.
Unlawful conflict of interest	An action whereby a person holding public office or entrusted with a public service role or an elected public official takes, receives or retains, directly or indirectly, an interest of such a nature as to compromise their impartiality, independence or objectivity with regard to a company or a transaction for which, at the time of the action, they were wholly or partly responsible for supervision, management, liquidation or payment.

Appendix 2: Lobbying

What constitutes lobbying at Arte France?

The criteria for qualifying an activity as lobbying are as follows[1]:

- Making contact with a public official (e.g. a minister, MP, or member of a minister's private office);
- On the initiative of ARTE France;
- With the aim of influencing a decision (to have a bill or regulation amended, withdrawn or adopted)

At ARTE France, lobbying involves engaging with institutional stakeholders whose decisions are likely to impact our activities.

Lobbying activities are primarily aimed at raising awareness amongst these stakeholders of ARTE's specific characteristics, in particular the implications of its binational nature and its European mission.

How is this regulated and monitored by Arte France?

- Internal follow-up table for institutional meetings
- Lobbying activities are subject to an annual declaration to the High Authority for Transparency in Public Life.

Further information

[1] What is lobbying? – The High Authority for Transparency in Public Life

Law No. 2016-1691 of 9 December 2016 on transparency, the fight against corruption and the modernisation of economic life