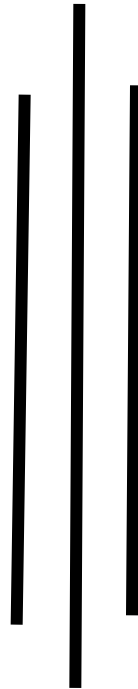




NNSWA

Nepal National Social Welfare Association

NNSWA Protection of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy 2023



**Nepal National Social Welfare Association
(NNSWA)**

NNSWA Protection of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy 2023

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1. NNSWA Background:

Nepal National Social Welfare Association (NNSWA) established itself in 1990. In 1994, NNSWA registered with the District Administration Office Kanchanpur and affiliated to Social Welfare Council Kathmandu. NNSWA has grown over the years, implementing various integrated community-based development programs in Sudur Paschim Province being one of the leading development organizations in the Sudur Paschim Province of Nepal.

The Executive Committee is the legally constituted body responsible for providing strategic and policy direction to the organization. NNSWA has its own office building having sufficient rooms and training hall at Bheemdatt Municipality-18 in Kanchanpur district. As of record in December 2023, there are 185 skilled staff mobilizing for the implementation of different projects as organizational human resources.

i) Vision of Organization:

NNSWA strives towards an equitable society.

j) Mission of Organization:

NNSWA is committed to empower and ensure the social rights of the **3D** people (*Deprived, Dalit, and Disable*).

k) Goal of Organization:

Target People 3D (Discriminated Community by caste, Disable & Deprived) will be Educated, healthy, wealthy and empowered in all aspects to utilize the human rights

l) Objectives of Organization:

- To enhance the standard of education and provide educational opportunities to the Deprived, Dalit, and disabled group in the community.
- To provide health services including Nutrition, Reproductive Health and Physical Rehabilitation Services to those in target area
- To advocate rights for women and children
- To improve access to human rights
- To create leaders from the 3D group through skill development and trainings
- To create opportunities for livelihood options, friendly environment, climate change and adaptation, DRRM, Humanitarian Response, poverty alleviation, and advocacy for human rights and inequality.

m) Targeted Group of Organization:

- *Dalits*
- *Disables*
- *Deprived* (Freed-Kamaiya, Displaced people, women, children, PLHIVs and People affected with Leprosy)

n) Working Strategies of Organization:

- Partnership-with the Government, donors, INGOs, local NGOs and CBOs
- Participatory Integrated Rural Development
- Gendered programming
- Rights based programming and Networking, Alliance, and Coalition Building

o) Principle of Organization:

“An Organization Working Together for an Equitable Society”.

To see an equitable society NNSWA perceive to joint hand together all funding partners, policy makers, media, advocates, and community target groups shod be working together model to achieve the vision of NNSWA which is core principle of the organization.

p) Values of Organization:

Follows the organizational vision, mission, goal, and objectives following are the values of NNSWA. Every person belonging or employee should obey the values.

1. Respect to the whole target group
2. Non-Discrimination
3. Non-party political
4. Non-Religious
5. Open and Committed for Quality Services
6. Stand with Inclusiveness
7. Saving Life, Fight for Extreme Inequality, Humanitarian Response

2. Introduction of PSEAH Policy:

NNSWA a Civil Society Organization and working on Humanitarian Response and integrated development interventions, the Protection of Sexual Exploitation, Abuse, and Harassment (PSEAH) refers to a set of principles, policies, and practices aimed at preventing and addressing instances of sexual exploitation, abuse, and harassment within organizations, particularly those involved in humanitarian, development, and peacekeeping efforts.

PSEAH initiatives emphasize the importance of safeguarding vulnerable populations, including beneficiaries, staff, and local communities, from any form of sexual misconduct. They typically include robust frameworks for reporting, investigating, and responding to allegations of exploitation, abuse, or harassment, ensuring accountability and transparency in all organizational activities.

Key elements of PSEAH often involve establishing clear codes of conduct, providing training and awareness programs for personnel, implementing whistleblower protections, and collaborating with local authorities and communities to uphold standards of safety and respect. By prioritizing the protection and dignity of individuals, PSEAH initiatives aim to create environments free from exploitation and harassment, thereby fostering trust and integrity in humanitarian and development work.

3. Purpose of PSEAH Policy:

The purpose of the Protection of Sexual Exploitation, Abuse, and Harassment (PSEAH) initiatives is multifaceted and crucial in various sectors, including humanitarian aid, development, peacekeeping, and beyond. Overall, the purpose of PSEAH initiatives is to create safer environments, uphold dignity and rights, and promote ethical practices across all aspects of humanitarian, development, and peacekeeping work. By doing so, these initiatives contribute to more effective and sustainable outcomes in support of vulnerable populations which NNSWA working for.

4. Rationale of PSEAH Policy:

NNSWA provides its services to the 3D Communities is responsible for safe environment for its beneficiaries. Therefore, the rationale behind the Protection of Sexual Exploitation, Abuse, and Harassment (PSEAH) initiatives is grounded in several critical factors and principles. The principles of PSEAH are Human Rights and Dignity, Ethical Imperative, Trust and Credibility, Prevention and Risk Management, Legal and Regulatory Compliance, Organizational Culture and Values.

In summary, the rationale behind PSEAH initiatives is driven by the principles of human rights, ethics, trust, prevention, compliance, and organizational culture. These initiatives are essential for safeguarding individuals, maintaining integrity, and ensuring that humanitarian and development efforts are conducted with the highest standards of conduct and accountability.

5. Definitions and Policy Positions

The UN Secretary General's Bulletin on Protection from Sexual Exploitation and Abuse (2003) defines sexual exploitation and abuse as:

Sexual exploitation 1: 'Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.'

Sexual abuse 2: 'The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.'

NNSWA's definition of sexual exploitation and abuse aligns with this but goes further to include Gender Based Violence (GBV) and other forms of abuse.

In line with this and NNSWA's Organizational Code of Conduct, and in recognition of the power dynamics and potential for exploitation, NNSWA:

1. Strictly prohibits staff and other representatives from engaging in any form of sexual activity with rights holders (people directly receiving assistance from NNSWA or involved directly in any programming activities)

Relationships or any kind of sexual activity with community members who are not rights holders (i.e. not receiving direct assistance from NNSWA or involved directly in any programming activities) are not prohibited however, staff and other representatives must ensure the relationship is not and could not be perceived to be exploitative or abusive. Such relationships must be raised with a Line Manager/Safeguarding Focal Person/Executive Director as soon as possible so that they can work with the staff members to manage the potential risks. Part of this risk assessment should include consideration of how the relationship could be perceived by the community, and whether this could cause a reputational risk, and this will be managed on a case-by-case basis.

2. Strictly prohibits staff and other representatives from buying sex. NNSWA does not make judgements on people who sell sex. However, in recognition of the potential for sexual exploitation and abuse and in line with the Principles of PSEA, NNSWA has prohibited this activity.
3. Strictly prohibits staff and other representatives from engaging in any kind of sexual activity with children (anyone under the age of 18 years, or older if the local law indicates this).

Definitions of Terminology:	
Terminology:	Understanding Descriptions:
Adult at-risk	<p>Someone over the age of 18 who, for physical, social, economic, environmental or other factors can be more vulnerable to abuse, exploitation or other harms</p> <ul style="list-style-type: none"> Given the definition above, many people we work with in communities around the world would come under this definition. Recognizing this NNSWA will work to ensure that this is an empowering rather than a dis-empowering term, and that NNSWA use it to work with communities to uphold the rights and dignity of those who may be at greater risk of abuse or exploitation. <p>Safeguarding duties apply to an adult who:</p> <ul style="list-style-type: none"> Has needs for additional care and support is experiencing, or at risk of, abuse or neglect because of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
Abuse	<p>Domestic-“Including psychological, physical, sexual, financial, emotional, or so-called 'honour' based violence.”</p> <ul style="list-style-type: none"> ‘Honour’ based violence refers to an honour code set at the discretion of male relatives and the punishing of women for bringing shame on the family when they do not abide by the ‘code’. Infringements may include rejecting a forced marriage, pregnancy outside of marriage, seeking divorce, inappropriate dress, and even kissing in a public place. Men can also be victims, sometimes because of a relationship which is deemed to be inappropriate, if they are gay, have a disability, or if they have assisted a survivor. Financial/material- “Including theft, fraud, and coercion in relation to financial affairs such as, property or financial transactions” Modern Slavery- “Including slavery, human trafficking, forced labor and domestic servitude.” Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Sexual abuse	<p>“Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal conditions e.g. sexual assault, rape.</p> <ul style="list-style-type: none"> ActionAid strictly prohibits staff and other representatives from engaging in any kind of sexual activity with adults at risk.
Sexual exploitation	<p>“Any actual or attempted abuse of power or trust for sexual purposes, including, but not limited to, profiting commercially, monetarily, socially, or politically from the sexual exploitation of another”</p> <ul style="list-style-type: none"> This can represent a wide spectrum of examples including but not limited to invasion of someone’s sexual privacy, forced transactional sex, non-consensual filming of a sexual act or exposure of genitals, online grooming, or knowingly spreading a sexually transmitted disease or infection. It is important to understand that sexual exploitation is not limited to sexual intercourse, as detailed in some examples above, and includes acts of intimidation of a sexual nature that are intended to cause discomfort and embarrassment.
Definitions of other Relevant Terminologies	
Child abuse	<p>All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.</p> <ul style="list-style-type: none"> The main categories of abuse are defined by WHO as physical abuse; sexual abuse; psychological abuse; and neglect. <ul style="list-style-type: none"> Physical abuse can include inappropriate physical punishments towards a child, and/or assaulting, pushing, hitting, and slapping them. Sexual abuse is defined as any sexual activity, or actual or threatened physical intrusion of a sexual nature, with someone under the age of consent or under 18, whichever is greater, is considered sexual abuse. Psychological abuse can include, especially in relation to children, threats of harm or abandonment, deprivation of contact, humiliation, blaming, intimidation, coercion, harassment, verbal abuse, and isolation. Neglect can involve preventing access to education, food or other life necessities, and any emotional or physical care needs. Whatever form it takes, neglect can be just as damaging to a child as physical abuse. Children are more susceptible to neglect given their inherent vulnerability and dependence on adults for support. <p>It is common for a child that is abused to experience more than one type of abuse, and it often happens over a period rather than being a one-off event.</p>
Community member	A person living in a community within which NNSWA operates, however, they are not necessarily engaged with any programs.
Complainant	This is the person making a complaint; it may be the person who experienced what is being reported (the survivor), or it may be another person (a third-party complainant) who becomes aware of an issue and makes the complaint.
Female genital mutilation	<p>“Female genital mutilation (FGM) comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.”</p> <ul style="list-style-type: none"> FGM is recognized internationally as a violation of the human rights of girls and women. It reflects deep-rooted inequality between the sexes and

	<p>constitutes an extreme form of discrimination against women. It is nearly always carried out on minors and is a violation of the rights of children.</p> <ul style="list-style-type: none"> • The practice also violates a person's rights to health, security and physical integrity, the right to be free from torture and cruel, inhuman or degrading treatment, and the right to life when the procedure results in death.
Forced marriage	<p>Marriages in which one and/or both parties, whether adults or children, have not personally expressed their full and free consent to the union.</p> <ul style="list-style-type: none"> • As is the case with child marriage more specifically, this is something against human rights-based approach and NNSWA organizational code of conduct.
Gender-based violence (GBV)	<p>“Gender-based violence is an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females”</p> <ul style="list-style-type: none"> • Acts of gender-based violence are a form of sexual abuse and can affect any stakeholder, whether staff or community members. • They are often carried out by men towards women and can result, in part, from power imbalances. Therefore, this is regarded as a significant SHEA and Safeguarding issue within the operating context of NNSWA. NNSWA GBV policy is also attractive.
Investigation	<p>A process designed to gather information to determine whether wrongdoing occurred and, if so, the persons responsible. At NNSWA this will take the form of an internal fact-finding process.</p>
Modern slavery	<p>Slavery is a situation where a person exercise perceived or real power of ownership over another person.</p> <ul style="list-style-type: none"> • Modern slavery covers different types of labor exploitation, ranging from the mistreatment of vulnerable workers to human trafficking to child labor and forced sexual exploitation. • Related terms include human trafficking, covering coercion and recruitment under false presences, and bonded and forced labor, which is labor undertaken as a repayment or under threat of punishment respectively.
Rights holder	<p>A rights holder is someone receiving assistance through NNSWA’s work. This is alternatively referred to in other organizations as a member of the affected population, person we seek to assist, person affected by crisis, or beneficiary. A <i>rights holder</i> is different to a <i>community member</i> in that a <i>community member</i> may not be engaging in NNSWA’s programs and NNSWA must therefore be more aware of the risks that they face.</p>
Staff/ Representatives	<p>This refers to “staff, volunteers, (including board and assembly members), consultants, interns, visitors, dependents accompanying staff while working for NNSWA, and other individuals acting as representatives of NNSWA, such as funding partners working in communities.” When we refer to staff and other representatives in the document, we are referencing this entire group. There may be more who work with NNSWA for delivering services in the Community.</p>
Survivor	<p>“A person who has experienced sexual abuse, exploitation, or harassment.</p> <ul style="list-style-type: none"> • The terms ‘victim’ and ‘survivor’ can be used interchangeably. ‘Victim’ is a term often used in the legal and medical sectors. ‘Survivor’ is the term generally preferred in the psychological and social support sectors because it implies resiliency.”

	<ul style="list-style-type: none"> NNSWA uses the term <i>survivor</i> as part of our survivor-centered approach as it emphasizes the power of the individual, which the term ‘victim’ can remove, and their agency.
Trafficking	<ul style="list-style-type: none"> Trafficking is a process of enslaving people, coercing them into a situation with no way out, and exploiting them. People can be trafficked for many different forms of exploitation such as forced transactional sex, forced labor, forced begging, forced criminality, domestic servitude, and forced marriage, and forced organ removal.
Transactional sex	<ul style="list-style-type: none"> This is the exchange of money, employment, goods, or services for sex, including sexual favors. Transactional sex is strictly prohibited by NNSWA along with any other forms of humiliating, degrading or exploitative behavior, including exchange of assistance that is due to rights holders. NNSWA does not make judgement against rights holders or others who choose to take part in such transactions but recognizes the inherent unequal power dynamic and so prohibits staff from exchanging money or anything else for sex.
Young people	Persons between the ages of 15 and 24 years are within the category of “youth” and “young people”, it is also important to distinguish between teenagers (13-19) and young adults (20-24), since the psychological and health problems they face may differ.
Whistleblower	The person who complained first to the responsible person/agency is called whistleblower or discloser. It might be within the organization, within community or any external.

6. Confidentiality

Confidentiality is vitally important to PSEAH and Safeguarding. NNSWA is committed to working with survivors/complainants and all others involved in an incident management process in a confidential and respectful manner. Breaches of confidentiality undermine confidence and trust in NNSWA’s Safeguarding and complaints management processes and in the organisation itself. Maintaining confidentiality around people’s personal data and information is particularly important when managing issues relating to Protecting of Sexual, exploitation, abuse and harassment.

From the point of disclosure to the outcome of any investigation, every effort will be made to maintain and promote confidentiality to protect the safety and privacy of everyone involved. Information must be shared on a ‘Need to Know’ basis means, that is, only those who need to be informed so they can support an investigation or because they hold overall accountability will be given information, and they will receive only as much information as they need to be effective. If information is shared confidentially which relates to a child or suggests that someone’s life is in danger, then action will need to be taken outside of standard confidentiality procedures to ensure that everyone is safe. This will be managed on a case-by-case basis, and the safety and wellbeing of the child or adult in question is always paramount. As noted above, only those who need to know will be informed so they can take effective action.

7. Data Protection

NNSWA will ensure that it complies with local and international data protection laws when gathering, storing, or sharing any data relating to individuals and PSEAH and Safeguarding and will follow the guidance on retaining data on incident will manage under the NNSWA's IT/DATA protection Policy.

8. Roles and Responsibilities

The Code of Conduct of NNSWA states that it is the duty and the responsibility of all staff and other representatives to report any suspicions or incidences of protecting of sexual, exploitation, abuse and harassment (PSEAH). Failure to report to an appropriate person is a breach of NNSWA organizational Code of Conduct and this policy and could lead to disciplinary actions as description other points.

a) NNSWA Staff must always:

- Ensure their behavior is based on NNSWA's values, adheres to this policy and NNSWA organizational Code of Conduct, and always upholds and promotes the rights and welfare of 3D target communities, rights holders and we work with, including adults at-risk.
- Promote and raise awareness of this policy to everyone they meet within their work.
- Ensure they are aware of their PSEAH and Safeguarding Focal Point who is responsible for advising on and mitigating risk in line with this policy.
- Report any suspicions, concerns, or behaviors that breach this policy to the appropriate person(s) according to the reporting mechanism of the organization.
- Ensure that the rights of rights holders and 3D communities are central to any activities carried out in their area of work.

b) Staff must never:

- Sexually exploit or abuse anyone meet through our work, this policy addresses harm carried out towards rights holders and 3D community members, including adults at-risk.
- Engage in any sexual activity with rights holders or adults at-risk
- Engage in any sexual activity with children.
- Engage in any kind of exploitative or harmful behavior towards members of a community that NNSWA works with or near to.
- Raise malicious complaints or use the policy for purposes other than what it is intended for.

c) Executive Director/Program Directors:

Must always:

- Create a safe environment where staff and others feel able to raise concerns without fear of retribution.

- Be aware of the local and international laws and best practice applying to rights holders and community members, including adults at-risk, ensuring that all activities reflect these and that staff members are made aware of them.
- Ensure a PSEAH and Safeguarding Focal Point is in place, having undergone a selection process, who will raise awareness of PSEAH and Safeguarding and act as a reporting point for suspicions, concerns, and complaints.
- Ensure adequate funding is in place to support PSEAH and Safeguarding activities in their program and projects or organizational fund (e.g. ensure that all staff receive annual training).
- Ensure that the PSEAH and Safeguarding Focal Point raises all concerns and complaints to the NNSWA Safeguarding Team, within 24 hours where possible.
- Ensure that procedures for reporting and investigating suspected cases of abuse and exploitation are followed and ensuring they are in line with this policy and local laws. Including reporting to appropriate authorities for investigation and follow up.
- Ensure that the relevant disciplinary procedures are implemented for staff members who have violated this policy.
- Ensure all staff members are trained on the human rights of rights holders and community members, how to recognize different forms of abuse and exploitation, and how to raise concerns through the appropriate channels.

d) Project Managers/Coordinators/Officers:

- Create a safe environment in their working area of responsibility and directly with the staff they manage, to ensure that staff and others feel able to raise concerns without fear of retribution.
- Ensure staff members in their line of authority receive an induction on this policy and that any concerns raised about staff in the line of management are addressed through appropriate means (e.g. investigation, performance management).
- Ensure that staff members are aware of their responsibilities and accountability for the welfare of rights holders and community members, including adults at-risk during NNSWA's activities.
- Ensure that staff members are aware of their responsibilities for reporting and the procedures for doing so.
- Ensure that all processes, procedures, and activities are carried out in a way which seeks to minimize the risk to rights holders and communities (e.g. through carrying out routine risk assessments).
- When managing recruitment, work with HR to ensure that appropriate measures are put in place to prevent individuals who may harm others from entering NNSWA (e.g. through safer recruitment processes).
- Ensure that poor practice or potentially abusive behavior towards rights holders and community members by NNSWA or associated staff members does not go unchallenged.

e) PSEAH and Safeguarding Focal Points:

- Work with others to create a safe environment where staff and others feel able to raise concerns without fear of retribution.
- Ensure that this policy is displayed at prominent places within the office, as well as online, and to make it accessible to all members of staff.
- Ensure that all inductions include a discussion of this policy.
- Deliver training to all staff on this policy and other policies that fall within the PSEAH and other Safeguarding concerns remit.
- Work with others to ensure that the values, commitments, and procedures set forth in this policy are embedded throughout all NNSWA's programs and activities, and those concerned.
- Ensure that they raise all concerns and complaints relating to PSEAH and Safeguarding to the NNSWA PSEAH and Safeguarding Team.
- Work with the PSEAH and Safeguarding Stakeholder Panel to address concerns relating to protecting to sexual exploitation, abuse and Harassment, ensure incident management is carried out in line with NNSWA's PSEAH and Safeguarding approach.

f) Working with Sub-partners/Third Party Funding Receiver:

- NNSWA's sub-partners or third-party funding must abide by NNSWA's Code of Conduct and all PSEAH and safeguarding related policies. All memorandum of understanding (MoU) with sub-partners or third-party funding receiver and consultancy agreements with consultants and suppliers should include this PSEAH policy summary as an appendix and signed when starting any project. Breaches can lead to termination of contractual and/or partnership agreements.
- NNSWA will work with all sub-partners and third-party funding receiver to ensure they receive training on NNSWA's PSEAH and Safeguarding policies and approach, and to ensure that spaces are created to share knowledge on best practice to address sexual exploitation and abuse and recognize the expertise.
- Staff working with sub-partners and third-party funding receivers must ensure that partner organizations and their staff sign up and abide by the NNSWA organizational Code of Conduct. NNSWA must work with sub-partners and third-party funding receiver to carry out PSEAH and Safeguarding risk assessments and/or ensure that sub-partners and third-party funding receiver carry out their own PSEAH and Safeguarding risk assessments.
- Concerns regarding sub-partners and third-party funding receiver's staff members must be reported immediately via the reporting mechanisms. If NNSWA receives a complaint about a member of staff at a sub-partners and third-party funding receiver organisation, NNSWA will work with the sub-partners and third-party funding receiver to ensure this is responded to quickly and appropriately. If there is reason to believe that a complaint has been dealt with inappropriately or inadequately by a sub-partners and third-party funding receiver, NNSWA must consider whether they will withdraw funding or end the relationship.

9. Safer Recruitment and Employee Training:

NNSWA best practice, stringent recruitment processes will be put in place in order to reduce the likelihood of engaging someone who may pose a PSEAH or Safeguarding risk to the communities we work with, and to staff and other representatives within the organisation. The following steps must be included in all Recruitment and Selection procedures:

- Job adverts and job descriptions clearly detail any role responsibilities relating to **rights holders and communities, including adults at-risk**, and the organizational values and commitment to PSEAH and Safeguarding. The job description is to be used as the primary basis of assessing an applicant's abilities.
- All interviews will include questions that assess an applicant's understanding of PSEAH and Safeguarding (including child safeguarding) and assess their ability to reflect on NNSWA's values and 3D approach.
- Interviews for positions that involve working with adults at-risk or children must include behavioral based questions that assess the candidate's suitability to work with adults at-risk or children.
- Gaps in employment and/or education history will be discussed at the interview.
- NNSWA will not knowingly appoint any person with a history of perpetrating any form of or sexual harassment, exploitation, and abuse, e.g. adult at-risk abuse, child abuse, or Gender Based Violence. NNSWA will ensure that the recruitment of staff and other representatives will include reference checks (written and verbal where necessary).
- Consent will be sought from the successful applicant to request two references, including one from their most recent employer (or place of education), which provides, where permitted, the reason for leaving, and where appropriate, whether the candidate is suitable to work with adults at-risk or children.
- Relevant police/criminal records checks will be carried out in line with country requirements.
- Staff and other representatives in roles that involve having direct access to rights holders and community members, particularly adults at-risk, will require a self-disclosure of any convictions (relating to adult at-risk abuse and child abuse in any form) prior to interview stage and a criminal record check, wherever this is obtainable.
 - This also applies to staff changing role internally, and those who are likely to be deployed, in which case a check should be completed in advance.
- NNSWA should create an all-staff description file both digital and hard copy will all required documents.
- The Code of Conduct and the PSEAH and Safeguarding overarching policy are included alongside the offer letter to all new staff and representatives. The organizational Code of Conduct and Child Safety Commitment must be signed by all staff and other representatives before commencing duties.

- OD/HR staff drafting employment contracts should, where possible under national law, include a clause that specifies the staff member can be dismissed if they are found to have breached this PSEAH policy or NNSWA's Code of Conduct.
- All performance management processes and appraisals must include an assessment of how the individual upholds NNSWA's values and how PSEAH and Safeguarding intersects with their work.
- Ensure exit processes are carried out in person or remotely, learning is recorded and acted upon as appropriate, and any PSEAH and Safeguarding concerns raised at this stage are addressed appropriately.
- Ensure references are provided in line with our HR policies, and that information on staff misconduct/disciplinary proceedings is shared with the prospective employer in line with best practice and NNSWA's HR procedures.

9.1 Induction/Organizational Training (OT):

NNSWA has a long practice of providing induction to the newly recruited staff. The PSEAH and Safeguarding Focal Point and OD/HR will ensure all joining staff and other representatives have an induction and organizational training (OT) on NNSWA's policies, procedures, guideline, PSEAH, Safeguarding and Organizational Code of Conduct as soon as early or no later than one month after they have been appointed. It is the responsibility of the individual Line Manager to ensure that this briefing is carried out.

9.2 Training on PSEAH:

Regular training and refresher courses on PSEAH and Safeguarding must be planned and delivered to all staff and sub-partners and third-party fund receiver on a regular basis.

This can include but is not limited to:

- NNSWA's PSEAH and Safeguarding policies
- NNSWA Organizational Code of Conduct and 3D Approach as part of our commitment to working with staff and other representatives to transform our working culture
- International and local laws relating to sexual exploitation and abuse, and other forms of abuse
- Information on how to recognize sexual exploitation and abuse, and other forms of abuse
- Information on how to report sexual exploitation and abuse, and other forms of abuse

All programs must establish a training program, including stand-alone and refresher training on NNSWA's PSEAH, Safeguarding and 3D approach, so that all staff receive at least one PSEAH and Safeguarding training per year, with further training for specific teams as required. For the training NNSWA could request funding partners for providing specific training on PSEAH if required.

9.3 Safer programming:

NNSWA recognizes that PSEAH must be integral to its humanitarian, resilience and wider development work. NNSWA must recognize that rights holders and 3D communities, including adults at-risk can be harmed because of poorly designed programs and projects, and related

activities. Staff members responsible for program or project design and implementation must ensure that SHEA and Safeguarding is accounted for at all stages of the program/project cycle.

9.4 Risk assessments

Risk assessments help identify areas in program or project design where there is risk of exploitation and abuse taking place, or not being responded to adequately. Safeguarding risk assessments must be carried out at the organizational and project level and integrated into the organizational risk matrix. NNSWA must work with sub-partners and related to carry out PSEAH and Safeguarding risk assessments and/or ensure that sub-partners carry out their own PSEAH and Safeguarding risk assessments. Risk assessment should be carried out at the project inception stage and regularly reviewed as part of standardized monitoring activities and monitored by the Senior Management/Leadership Team and the Board.

9.4.a Format for the PEASH Risk Assessment:

Name of Project:

Location of Project Implementation:

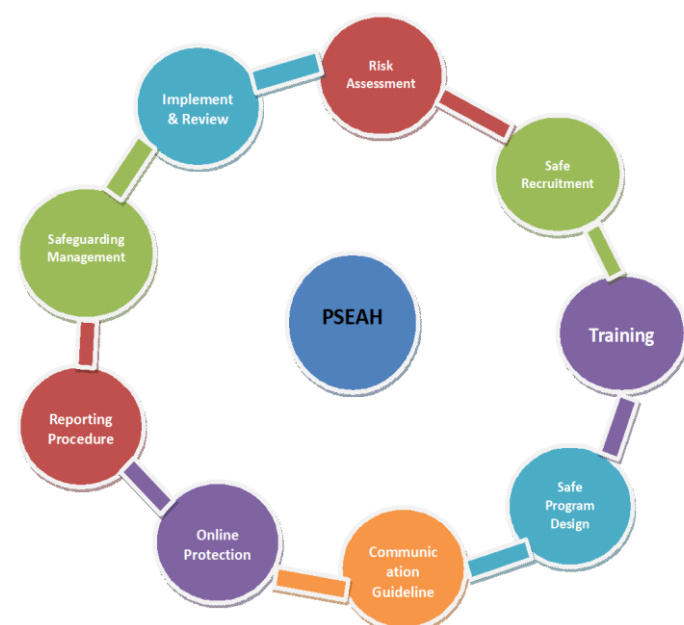
Date:

Sr.#	Risk Assumption	Risk Category		Actions of Mitigation	Responsible	Required Support
		Likelihood	High Impact			
1						
2						
3						
4						
5						

Prepared by:

Approved by:

9.4.b PSEAH Cycle:



During the practices of the PSEAH the practitioner should apply this PSEAH cycle for meeting all components of the PSEAH.

The team of PSEAH will also follow this cycle to give the justice for their role and responsibility while facing the incident related to the PSEAH.

9.5 Complaints Mechanisms:

As part of embedding PSEAH and Safeguarding into all program design and activities, complaints mechanisms must be established to ensure that rights holders and 3D communities members, including adults at-risk are able to raise concerns. Staff should work in a participatory way with rights holders and 3D communities (Dalits, Disable and Deprived) to create, strengthen, and evaluate existing complaints mechanisms in line with best practice, and ensure that the mechanisms used are relevant to the local context, translated into local languages, and made publicly available (e.g. published on the website or post in office building, event place).

As part of our commitment to accountability, staff must ensure that policies and procedures are shared with rights holders and 3D community members, including adults at-risk so they can provide feedback and be instrumental in developing the approach of NNSWA. The PSEAH and Safeguarding Focal Point can work with relevant teams to ensure that any complaints mechanisms are accessible, inclusive, survivor-centered, and relevant to the local context (e.g. to ensure that people with disabilities are able to access complaints mechanisms and report concerns). It is critical that any complaints mechanisms provide a variety of ways of reporting, recognizing that many people prefer to disclose allegations of abuse or exploitation to someone they trust, and that people are assured of confidentiality.

Staff should work with relevant internal teams and children to build complaints mechanisms to ensure that children are able to raise concerns and have a voice in how safe spaces are created. Alongside developing complaints mechanisms, staff and related must continually engage with **rights holders and 3D community members, including adults at-risk** about NNSWA's values, what behavior is and is not appropriate, their rights, and how to report concerns.

The complaints will be received from different methods are as below.

- NNSWA website
- Complaint box
- Toll-free Number of direct phone calls
- Complaint letter

The complaint receiver should maintain confidentiality and report appropriately to the concern team in NNSWA.

10. Reporting Procedures:

If any NNSWA staff or other representatives have concerns that a rights holder or 3D community member, including adults at-risk, has been at risk of being abused, exploited, or harmed in any way they must report this immediately.

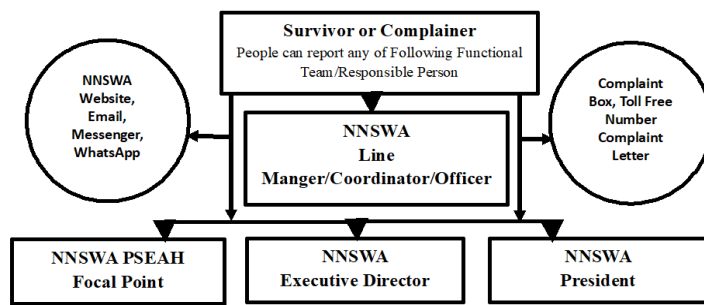
NNSWA staff members and other representatives can report PSEAH and Safeguarding concerns in NNSWA to any of the following channels in person, via email, or telephone:

- NNSWA PSEAH and Safeguarding Focal Point
- Executive Director

- Line Manager
- OD/HR Representative

If NNSWA staff or representatives have concerns about first reporting in NNSWA or if they want to raise concerns (i.e. appeal against) they can report directly to the President of NNSWA Executive Committee.

10.1 The Reporting Channel:



The reporting channel will be used by any complaint for their issues. The complaint related to the PSEAH will be treated as a high priority by the organization. The responsible person will perform their responsibility with all given roles and responsibility as per their post. The organization will help each other to appropriately perform their tasks as professionally.

11. Safeguarding Committee:

A Safeguarding Committee has been established at the Central office of the NNSWA level as well as in each field project office. The Safeguarding Committee is comprised of 5 members in NNSWA Central Office. In the project office there will be the same but if staff numbers are less than 3 members will be comprised.

The combination of the Safeguarding Committee will as be follows.

1. One female staff in a Senior Management Role
3. Three members will be from across different departments from the project/programs.
4. A fifth member will be representative from the NNSWA executive board.

If there is a requirement for an external expert in harassment, sexual exploitation or abuse that will be decided by the NNSWA Executive Board. All Safeguarding Committees will ensure that there is diversity and equal gender representation on the committee. The Safeguarding Committee will be responsible for informing and training all staff in safeguarding, PSEAH and harassment policies and procedures. They will also be responsible for receiving and investigating any safeguarding complaints, including PSEAH.

The reporting responsible staff would share all reporting information if that incident required safeguarding committee's investigation and decision for the incident as reported will be actioned.

12. Whistleblowing:

Whistleblowing or all disclosures will be treated in confidence. Engender Health maintains a third-party secure reporting system through Ethics Point to ensure that all staff, partners, and vendors have recourse in the event of possible misconduct. Reports may be submitted anonymously for investigation team's email: nnswa.pseah@gmail.com or by calling the NNSWA hotline 9801359182 or the NNSWA toll free number 16609952002 which displaced by NNSWA.

13. NNSWA PSEAH Incident Reporting Form:

PSEAH Incident Reporting Form			
Your Name:		Name of Organization:	
Your Role:			
Your Contact Information:			
Address:			
Phone Number:		Postcode:	Email Address:
Name (Child/Adult at Risk):		Date of Birth (Child/Adult at Risk):	
Ethnic Origin (Child/Adult at Risk):		Disability Status (Child/Adult at Risk):	
Gender (Child/Adult at Risk):			
<input type="checkbox"/> Male:			
<input type="checkbox"/> Female:			
Name of Parents/Carer's (Child/Adult at Risk):			
Contact Information of Parents/Carer's (Child/Adult at Risk):			
Address:			
Phone Number:		Postcode:	Email Address:
Have Parents/Carer's (Child/Adult at Risk): notify this incident?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			
If yes, please provide details of what was said/action agreed:			
Are you reporting by your own concerns or responding to concerns raised by someone else:			
<input type="checkbox"/> Responding to my own concerns			
<input type="checkbox"/> Responding to concerns raised by someone else.			
If you are responding to concerns raised by someone else: <i>(Please provide further information below).</i>			
Name:			
Positions within the spot or relation to the Child/Adult at Risk:			
Telephone Numbers:		Email Address:	
Date and Times of incident:			
Details of the incidents: <i>(Include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay).</i>			
Child/Adult at Risk's what they said of the incident:			
Please provide any witness what they said of the incident:			
Please provide details of any witness to the incident:			
Name:			
Position (Club Member, Relation of Child/Adult at Risk):			
Date of Birth (If Child Witness):			
Reporter of Incident:			
Name:	Date:	Place:	Signature:

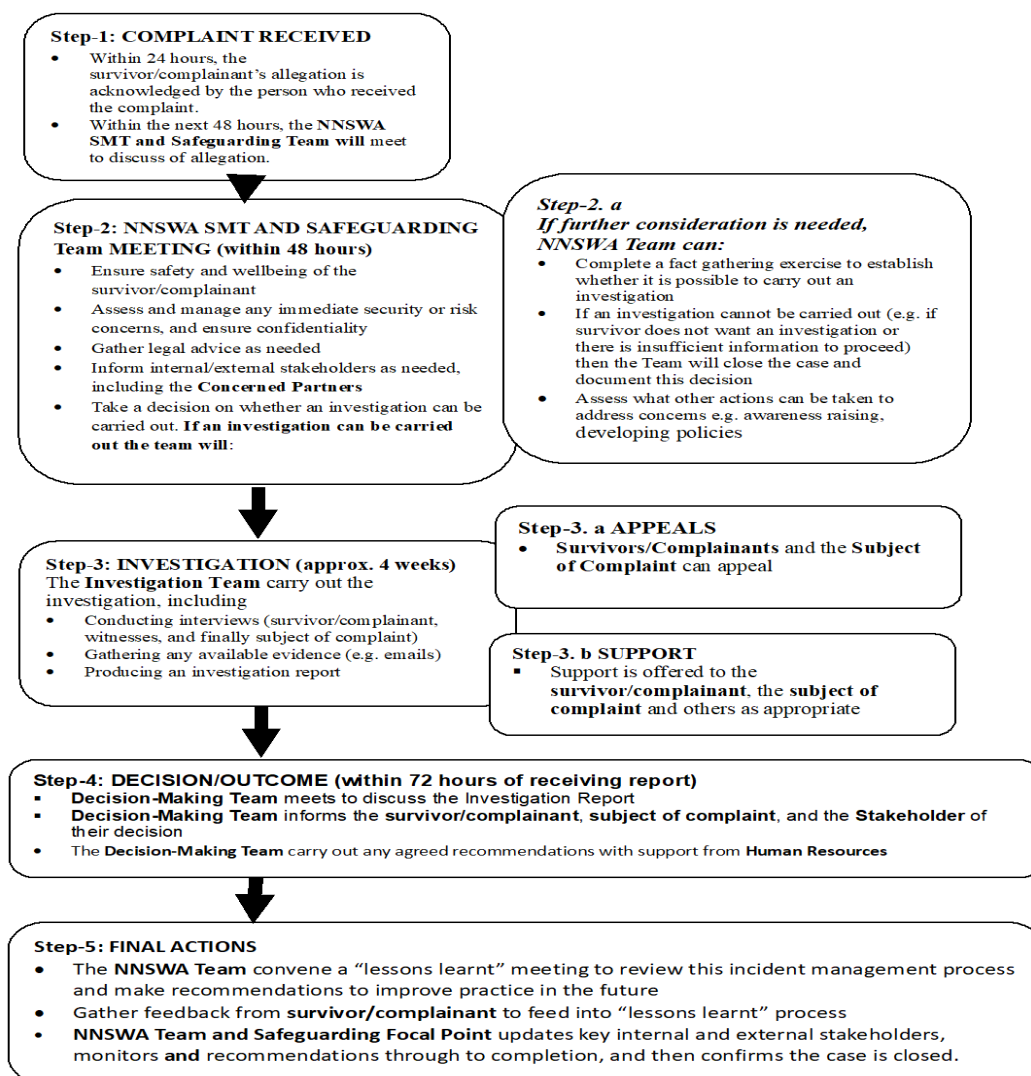
14. NNSWA another Policies related to the PSEAH:

NNSWA practicing other policies to protect sexual exploitation, abuse and harassment (PSEAH) separately through following policies:

- NNSWA Organizational Code of conduct
- Safeguarding
- Child Safety Policy
- Sexual Harassment

The related incidents will be addressed through these above policies and organizational code of conduct, child safety policy and sexual harassment will be enclosed herewith as annex.

15. Complaint Incident Management Flow Chart:



16. Safeguarding

NNSWA is committed to all community members as outlined in the definitions as having the right to safeguarding and protection from sexual exploitation, abuse and harassment irrespective of ability, ethnicity, faith, gender, sexuality, and culture. A key principle within this is that all processes are survivor led. NNSWA commits to survivors leading the complaint process where it is possible and appropriate to do so. NNSWA also refers to the NNSWA Safeguarding Policy 2023 for all incidents regarding to the Safeguarding issues.

17. Effective Communication

NNSWA effectively communicates with all staff, associates, and associated partners in simple and accessible language to create a positive and accessible culture where responsibilities for PSEAH are clear.

18. Continuous Improvement

NNSWA provides assessment, reflection and feedback mechanisms to inform the organisation of any improvements that can be made to policies and practices. These mechanisms include quarterly incident reviews, regular safeguarding audits, as well as regular policy review and refresher training.

19. Dignity and Respect

NNSWA creates a work environment where the principles of dignity and respect for all staff, associates, and partners, in all locations are at the heart of what the organisation does. Included in this are the principles of being non-judgmental when hearing the concerns and complaints of survivors of sexual exploitation, abuse and harassment.

20. Zero Tolerance

NNSWA has zero tolerance for any forms of sexual exploitation, abuse and harassment.

21. Amendment and Updated of Guideline

Organization will be amended and updated this NNSWA protecting sexual exploitation, abuse and harassment (PSEAH) Policy 2023 as per the necessity and requirements of the organization. During the updates and review the reviewing and updated team will be consulted with NNSWA SMT/EB for finalization of the policy. The Executive board will be responsible for approval of the amendment and update of the NNSWA protecting sexual exploitation, abuse and harassment (PSEAH) Policy 2023.

Organizational Code of Conduct

Nepal National Social Welfare Association (NNSWA) established itself in 1990. In 1994, NNSWA registered with the District Administration Office Kanchanpur and affiliated to Social Welfare Council Kathmandu. NNSWA has grown over the years, implementing various integrated community-based development programs in Sudur Paschim Province being one of the leading development organizations in the Sudur Paschim Province of Nepal. To formulation of policies, guidelines and directives are essential for an organization to eliminate such possible bad practices within the office culture is important. Therefore, all associated office bearers and employees are for applying this “Organizational Code of Conduct 2057” is formulated. For easy understanding this Code of Conduct is divided into 5 domains.

Concern Domains:

1. Social concern domain
2. Economical concern domain
3. Political concern domain
4. Administrative concern domain (NNSWA internal)
5. Personal concern domain

1. Social concern domain

The meaning of social concern is related to the whole program implemented areas and other social aspects will be understood.

NNSWA Members and Employees,

- a) Will not irrelated activities at the place of social concern
- b) Will not drink alcohol and smoke at the place of social concern
- c) Will not play the play cards as gambling if anyone proof as gambling will be termination from organization
- d) Will not present at public place to disturb others
- e) Will respect for positive, human rights & culture.
- f) Will not discriminate to any religious, race, caste & gender
- g) Will present a well citizen and ideal person at the society and community
- h) Will create an enabling working environment in the community and society
- i) Will stand with the victim side for their rights and supports
- j) Will respect and abide the universal development of human rights prospective

2. Economical concern domain

Known as economical transaction all financial transaction either organization or individual will accept the cost economize approaches less expenses high product approaches will be executed

NNSWA Member and Employees,

- a) Will apply cost economize approaches in all financial transaction
- b) Will not work any wrong and or fraud activities against at nation for their source
- c) Will apply the transparency in all expense at the organization

3. Political Concern Domain

Known as party politics and existing in the country

NNSWA Member and Employees,

- a) Will not involve any of party political
- b) Will maintain the no harm distance with existing political parties and politicians
- c) Will resign if anyone want to be politician or part of political parties
- d) Will not so the vote during the polling of election
- e) Will not motivate or attract of person or community towards the political parties
- f) Will maintain working relation with the local government

4. Administrative Concern Domain

Known as NNSWA internal Administrative

NNSWA Member and Employees,

- a) Will not drink any alcohol and other smoking thing within the office promises if any of proofed will be punished or terminated
- b) Will abide all administrative acts policies if any one violated will be punished or terminated
- c) Will be responsible for that properties' save and protect if any one known damaged or destroyed organization will recover the cost from the person who is related with the event
- d) Will help to each other for well function of the organization administrative
- e) Will respect to the senior staff and office bearer of the organization if any senior staff discriminated to the subordinate the staff can complain to the executive director directly if the executive director will discriminate any of the staff the staff can complaint to the executive board directly

5. Personal Concern Domain

Known as personal behavior and act at the personal

NNSWA Member and Employees,

- a) Will not use of Kamaiya Kamlahari for their agricultural work, house servant and always protest such these types of work
- b) Will not use child labor and always protest
- c) Will not use of organization name for personal benefits
- d) Will not make clear of any allegation will provide the respective value for the women and children
- e) Will follow the harassment child safety policies if any of male staff harassed female or any female staff harassed male will be proofed will be terminated as per incident scenario

The NNSWA Organizational Code of Conduct will be reviewed and updated as required by the
NNSWA

- Formulated: 1999
- Revised and updated: 2023

Child Safety Policy

NNSWA is committed to implementing the programs in a manner that is safe for the children it serves. NNSWA must create and maintain an environment that prevents the abuse, bullying of children and promotes the child safety policy.

Policy Implementation General Practices:

NNSWA will meet its commitment to conduct programs that are safe for the Children it serves and to help protect children through the following means:

1. Awareness
2. Prevention
3. Reporting
4. Responding

Specific Requirements for all Representatives of NNSWA

1. Sexual activity with children under 18 is prohibited
2. Any exchange of money or services for sexual favors, or other forms of or exploitative behavior with children is prohibited
3. Employees are required to acknowledge receipt and understanding of NNSWA standards and policies
4. NNSWA Reps. Must Not stay alone overnight with children benefiting from NNSWA programs who are not part of their extended family.
5. NNSWA Reps. must behave in an appropriate and culturally sensitive way. All forms of physical, sexual, or emotional abuse are prohibited.
6. Where possible, a 'two adult' rule should be followed.
7. The adult is always responsible for maintaining an appropriate relationship, even if a child behaves inappropriately.
8. NNSWA Reps should not place themselves in compromising or vulnerable positions and should take care not to discriminate against, show differential treatment towards children.
9. In communications about children, NNSWA Reps. must only use language and images that are respectful and culturally appropriate.

Specific Responsibilities:

1. Investigate complaints of abuse and exploitation of children in contact
2. Inform prospective employees
3. Notify NNSWA Reps. and prospective employees that NNSWA may perform criminal background checks where such checks are legally permissible (During Recruitment).

Reporting, Investigation and Response:

1. Anyone concerned about the safety of a child must inform his/her supervisor, the person in charge, or main NNSWA contact. Concerns should be reported the Same Working Day.

2. The senior NNSWA staff on site must take all appropriate steps to protect the child involved without delay.
3. An employee who has been brought under investigation for child abuse may be suspended and shall have no access to children during the investigation.
4. If an employee is discharged for proven abuse, NNSWA reserves the right to disclose such information if requested by a prospective employer.

Disciplinary Action

Inappropriate behavior towards children is grounds for discipline, up to and including dismissal or termination

Reporting Procedure and Action by SMT of NNSWA

1. All incidents of child abuse or concern must immediately be reported to the related staff or focal point of NNSWAM in the field and Executive Director in Center office of NNSWA as expediently as possible. If possible, concerns should be reported on the same working day.
2. Field staff will, report to the Executive Director in Center office of NNSWA with his/her findings and recommendation after full investigation of the complaints.
3. Executive Director in Center office of NNSWA will again investigate all complaints of child abuses. Executive Director may wish to share the finding with the SMT and make a joint decision for the punishment to the offending staff, in necessary.
4. The staff in the field and Executive Director must take all appropriate and reasonable steps to protect the child involved and to keep the parties involved apart during the investigation.
5. It is essential to avoid delay if inaction may place the child at further risk.
6. In cases of possible abuse, every effort should be made to provide the child with appropriate assistance for protection.
7. The employee will be informed that charges have been made against him or her and given an opportunity to respond.
8. Before the announcement of any punishment to the offending staff, Executive Director will consult the agency's legal advisor on the decision that he or the SMT made.

Sexual Harassment

NNSWA has been implementing multi sectoral projects combining humanitarian response and development intervention where many people, children, women, person with disability, PLHIVs, People affected with Leprosy, youths are organizational right holders. NNSWA also focused its almost all intervention to the 3D communities of marginalized communities. To operating all projects NNSWA manage a huge workforce and there is necessary to protect and aware to all for sexual harassment is important. Therefore, this policy is formulated.

To maintain working friendly relation among the employees and executive board, management team is essential. This working friendly environment will save the organizational reputation and goodwill as whole. The purpose of this policy will be saved of the organizational reputation as well as support to workforce of NNSWA for their good corrector as a civil society activist.

To be prohibited:

- All NNSWA related human resources will not comment of the any culture of the society and respect for their positive values and cultures.
- All NNSWA related human resources will not do jokes related to harassment, showing ashamed pictures, doing unwanted behavior, dual meaning language, unwanted touch, bad touch, direct looking (eye to eye) and bullying are prohibited.
- Same sex or different may not show the ashamed pictures, naked picture, teasing with apparent relationship, wearing socially not accepted clothing, talking related to the sexual words are known as harassment.

Reporting Process:

- If any incident occurred within NNSWA or in Community, they could complain through the NNSWA complain mechanism approaches. Or they could complain through their line manager or whom them feel easy to complain they can.
- The survivor can complain directly to the Executive Director or their nearest or whom to fee easy. Complainers use the witness also.

Investigation and Response Process:

- NNSWA will for an independent committee for investigation of the incident.
- The investigation committee will give the chance to the offending person for their clarification or any of their justification to make them are not accused the incident with evidence.
- If the victimized offending person not able to clarification he/she is not involved or that is fake with tier evident will be send that incident for further investigation and final decision process to the high level of the committee or executive board.
- If there is evidence and witness indicated the incident had happened and that person is involved is investigated with proof means the offending person will be termination from the organization and or will be treated as Nepal Government law if there is high level of incident like sexual assaults.

Protection of Sexual Exploitation, Abuse and Harassment (PSEAH)

- **Developed: December 2023**

References:

- **ActionAid International**
- **EngenderHealth for better life**
- **Online-US Legal Form**