

PATAN CBR ORGANIZATION

LMC-11, SHANKHAMUL, LALITPUR

2023



PATAN CBR POLICIES (EFFECTIVE FROM 13 AUGUST 2023)

1. CODE OF CONDUCT
2. GENDER EQUALITY AND SOCIAL INCLUSION POLICY 2022
3. CHILD PROTECTION POLICY, 2022 (2079)
4. SAFEGUARDING POLICY
5. DISCLOSURE OF MALPRACTICE IN THE WORKPLACE POLICY



Code of Conduct

Introduction

In keeping with its vision and values, Patan Community Based Rehabilitation (Patan CBR) organization is committed to maintaining the highest degree of ethical conduct amongst all its staff and associated personnel. To help increase understanding, this Code of Conduct details Patan CBR's expectations of employees in key areas.

Scope and purpose

This Code of Conduct applies to all contracted staff, international and local, employed by Patan CBR. Adapted Codes of Conduct are applicable to volunteers, partners, contractors and suppliers.

The purpose of this Code of Conduct is to set out the conduct expected of Patan CBR staff whilst under contract to the organisation, and forms part of all contracts of employment. The Code is applicable at all times. Breaches of the Code of Conduct are grounds for disciplinary action, up to and including dismissal.

Whilst recognising that local laws and cultures differ considerably from one country to another, Patan CBR is a Not-for-profit and Non-Governmental Organisation, and therefore the Code of Conduct is developed from national UN standards. Patan CBR staffs are expected to uphold local law wherever they operate, except where the Code of Conduct is more stringent, in which case the Code applies.

Mission and values

Patan CBR's Mission:

To ensure the rights, inclusive development and respectful life for Children with Disabilities (CwD)s by mobilizing parents, community, Government Organisations (GO)s, Non-Government Organisations (NGO)s for the protection and promotion of the rights of Children with Disabilities.



Patan CBR's Values:

Each Child with Disabilities (CwD) has rights to education, training, socialisation, employment according to their capacity, has rights to be treated inclusively and live a dignified life.

Code of Conduct Standards

As a Patan CBR employee I will:

Uphold the integrity and reputation of Patan CBR by ensuring that my professional and personal conduct is consistent with Patan CBR's values and standards

- I will treat all people fairly with respect and dignity
- When working in an international context or travelling internationally on behalf of Patan CBR, I will be observant of all local laws and be sensitive to local customs
- I will seek to ensure that my conduct does not bring Patan CBR into disrepute and does not impact on or undermine my ability to undertake the role for which I am employed
- I will not work under the influence of alcohol or use, or be in possession of, illegal substances on Patan CBR premises or accommodation

Not engage in abusive or exploitative conduct

- I will not engage in sexual activity with children (persons under the age of 18). Mistaken belief in the age of a child is not a defence
- I will not exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance
- I will not engage in sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics
- I will not engage in any commercially exploitative activities with children or vulnerable adults including child labour or trafficking
- I will not physically assault a child or vulnerable adult
- I will not emotionally or psychologically abuse a child or vulnerable adult

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Ensure the safety, health and welfare of all Patan CBR staff members and associated personnel (volunteers, partners, suppliers and contractors)

- I will adhere to all legal and organisational health and safety requirements in force at my location of work
- I will comply with any local security guidelines and be pro-active in informing management of any necessary changes to such guidelines
- I will behave in a manner such as to avoid any unnecessary risk to the safety, health and welfare of myself and others, including partner organisations and communities with whom we work

Be responsible for the use of information, assets and resources to which I have access by reason of my employment with Patan CBR

- I will ensure that I use Patan CBR assets and resources entrusted to me in a responsible manner and will account for all money and property
- I will not use Patan CBR IT equipment, software or e-mail and social media platforms to engage in activity that is illegal under local or international law or that encourages conduct that would constitute a criminal offence. This includes any material that intimidates or harasses any group based on protected characteristics, or encourages extremism
- I will not use Patan CBR IT equipment to view, download, create, distribute or save in any format inappropriate or abusive material including but not limited to pornography or depictions of child abuse

Perform my duties and conduct my private life in a manner that avoids conflicts of interest

- I will declare any financial, personal or family (or close intimate relationship) interest in matters of official business which may impact on the work of Patan CBR
- I will not be involved in awarding benefits, contracts for goods or services, employment or promotion within Patan CBR, to any person with whom I have a financial, personal, family (or close intimate relationship) interests
- I will seek permission before agreeing to being nominated as a prospective candidates or another official role for any political party

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- I will not accept significant gifts or any remuneration from governments, communities with whom we work, donors, suppliers and other persons which have been offered to me as a result of my employment with Patan CBR

Uphold confidentiality

- I will exercise due care in all matters of official business, and not divulge any confidential information relating to colleagues, work-related matters or any sensitive information unless legally required to do so

Complaints and reports

Patan CBR staffs are obligated to bring to the attention of the relevant manager any potential incident, abuse or concern that they witness, are made aware of, or suspect which appears to breach the Standards contained in this Code. Patan CBR staffs reporting concerns are protected by the Disclosure of Malpractice in the Workplace policy.

Staff members who have a complaint or concern relating to breach of the Code should report it immediately to their line manager. If the staff member does not feel comfortable reporting to their line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be a senior manager or a member of the HR Team.

Staff members receiving reports or concerns are obliged to action or refer the report immediately as per the Patan CBR Complaints Policy and procedures

Related Policies

Safeguarding Policy, Child Protection Policy, Gender Equality and Social Inclusion (GESI) Policy, Disclosure of Malpractice in the Workplace policy, Financial Rules, Administrative Rules

In accepting my appointment I undertake to discharge my duties and to regulate my conduct in accordance with the requirements of this Code

Name:

Signature:

Date:

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Patan CBR's Gender Equality and Social Inclusion Policy 2022

Background

The Constitution of Nepal 2015 has provided a mandate for Gender Equality and Social Inclusion (GESI) to bring women, persons with disability (PwD), marginalized, minorities and backward communities into the mainstream of national development. Nepal has also shown legal commitment to GESI by ratifying international conventions, including CEDAW and United Nations CRPD. However, despite of these efforts, gender inequality and discrimination based on caste/ethnicity continues and is still severe among the most disadvantaged group i.e. Women, Dalits, people with disability (PwD), Internally Displaced Person (IDPs), refugees, ex-bonded labourers, Indigenous people, Madhesi and Muslim. Based on this understanding and more than two decades of working experience, Patan CBR has now articulated organisational GESI policy for formal institutionalisation of GESI responses in Patan CBR's system. With this policy, Patan CBR commits to integrating GESI in its entire works and within its organisational structure aiming to ensure equitable participation of target beneficiaries in the society and its decision-making processes, activities and programs. Patan CBR has formulated GESI policy by reviewing and reflecting Patan CBR's previous GESI activities, both at field and program level, by reviewing GESI policy of other NGOs, INGOs, Donors organizations, related organisations, and government organisations and tried to incorporate their best practices and ideas

Policy statement

Patan CBR commits to integrating Gender Equality and Social Inclusion (GESI) in its entire works and within its organisational structure aiming to ensure equitable participation of target beneficiaries in the society and its decision-making processes, activities and programs.

Objectives

The goal of this policy is to enable Patan CBR to endorse gender equality and social inclusion at the core, into all of its work, and within the organization. To achieve this goal, the policy establishes below objectives:

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a) To ensure functional gender equality and social inclusion approach at all levels within Patan CBR, Implementing Partners and associates.

b) To ensure gender equality and social inclusion in all levels of Patan CBR's working systems: planning and programming, implementation, monitoring and evaluation, and risk management.

Scope of the policy

This policy provides a framework for GESI approaches and standards to be adopted and upheld by Patan CBR in all the aspects of program cycle. Compliance with this policy is mandatory. This policy is a response to Patan CBR's accountability to the communities it works with, and is therefore to be operationalized as a part of Patan CBR's responsibility agenda. This policy is complementary to the set of standards of behaviour that all Patan CBR employees, implementing partners, contractors and consultants who are required to adhere to Patan CBR's Code of Conduct and Policies.

Policy implementation

1. To provide staff orientation on GESI approaches and standards
2. To apply inclusive recruitment practices as a core principle - 50% of staff at senior and middle management to be women and vulnerable people from diverse castes/ethnicities as indicator of workforce diversity and inclusion.
3. To institutionalize women's participation, additional arrangements need to be clearly communicated and followed, e.g. facilities for childcare, breastfeeding time and flexible timing, providing paternity leave, as per government's rules.
4. To implement GESI supportive working culture with zero tolerance of any discriminatory behaviour, use of discriminatory language or gestures. To promote positive environment that appreciates the perspectives of a diverse group of staff.
5. To establish quotas for women in training and exposure visits for capacity building of women and excluded group noting women and people from excluded groups may have higher capacity strengthening requirements that need to be considered, due to less exposure/experience.

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6. To implement staff performances that include evaluation of efforts to address GESI related issues and GESI sensitive behaviour/actions.
7. To make Patan CBR's knowledge development and communications inclusive, special efforts will be made to ensure that marginalised and excluded groups such as women, Dalits, Adhibasi Janajati, Children/ persons with Disabilities, Madhesis. Muslims are visible in documentations and they also have access to those documents developed by Patan CBR.
8. To make Patan CBR's Monitoring and reporting by inclusive of GESI by adding GESI statistics in its database, disaggregated data, monitoring reports, evidence of changes affecting women, poor, vulnerable and marginalised group.
9. To make Patan CBR's annual report inclusive of GESI data.
10. Patan CBR to include a GESI perspective in all aspects of programming and project management, from the pre-planning process to baseline development, design and planning, implementation, monitoring, evaluation and reporting. For example, review

and ensure issues affecting women, Dalits, Adhibasi Janajati, Children/ People with Disabilities and the excluded are addressed in the project cycle steps by consulting with women, poor and the excluded themselves.

11. Patan CBR to put an extra effort to identify context specific barriers to gender and social inclusion as well as solutions available to overcome barriers. Such as additional arrangements to be clearly communicated and followed, e.g. facilities for childcare, breastfeeding time and flexible timing, providing paternity leave as per government's rules.
12. Patan CBR to continually discuss with marginalized groups, including women, Dalits and Person/Children with disability that they are working with, to identify their challenges and how they are affected. Patan CBR will work towards finding the root cause of their challenges and possible solutions and advocate for them to have rightful access to livelihoods, quality services, protection and social cohesion.
13. To work with Government and non-government organisations to increase benefits for the marginalized and excluded groups in terms of increased access to services and

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basic needs including food security, sustainable income, asset creation, as well as confidence and dignity, leading to reduced vulnerability.

14. To support rules, regulations, norms which serve to increase their access to and role in decision making and benefit sharing.
15. To strengthen the capacity, network and ability of marginalized and excluded people to raise their voice, defend their rights and influence decisions and benefit sharing, through transformative education programs.
16. To involve men and boys in actions eliminating unequal distribution of power, position, property, and preventing gender-based disparities and social discriminations.
17. To develop strategic partnership at various levels (e.g. local, provincial, federal governments; politicians, other I/NGOs, academia), diverse faith or religious leaders, and human rights activists to ensure the excluded attain their rights and fulfil their potentials.

Directive:

Patan CBR to implement Gender and Social Inclusion (GESI) policy review annually to see the results and identify areas for improvement.

Definitions:

Adhibashi Janajati: People or communities having their own mother tongue and traditional customs, distinct cultural identity, social structure, and written or oral history. Interchangeably referred to as "Janajati," "ethnic groups," and "indigenous nationalities." The government identified 59 groups as indigenous nationalities and these are categorized into 5 groups based on their economic and sociocultural status. These include "endangered," "highly marginalized," "marginalized," "disadvantaged," and "advanced" groups. Newars and Thakalis are the only two groups classified as "advanced" groups.

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Child Protection Policy, 2079 (2022)

Patan community based rehabilitation (Patan CBR) organization is fully committed to safeguarding the welfare of all children in its care. It recognises the responsibility to promote safe practice and to protect children from harm, abuse and exploitation. For the purposes of this policy and associated procedures a child is recognised as someone under the age of 18 years. In case of intellectual disability, a person with IQ score less than 70 is considered as a child irrespective of his/her chronological age.

Patan CBR staff, volunteers and partner organisations will work together to embrace difference and diversity and respect the rights of children and young people. This policy is based on the child-rights framework of the United Nations Convention on the Rights of the Child (UNCRC) 1989 and the Act Relating to Children, 2075 (2018), now enacted by the Federal Parliament of Nepal.

What is child abuse?

Different forms of abuse such as physical abuse, sexual abuse, emotional abuse or neglect are considered child abuse. Patan CBR is committed to responding without delay to any suspicions of child abuse or neglect as child abuse can have long term and detrimental effects on a child or young person's development.

Different types of abuses:

Physical Abuse

This abuse occurs when a person intentionally injures or threatens to injure a child or young person. The injury may involve: slapping, kicking, punching, shaking, burning, shoving, grabbing, pinching, biting, strangling or any other form of behaviour causing physical injury. Physical abuse can also involve a situation where a parent or caregiver is not adequately ensuring a child or young person's safety, leading to them being placed in situations of extreme physical danger.

Sexual Abuse

Sexual abuse is when a person uses their power over a child or young person to involve them in sexual activity. Sexual abuse covers a wide range of sexual activities including both contact and non-contact situations. Contact situations can involve fondling of the child or young person's genitals, being forced to touch somebody else's genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or other object. Non-contact abuse can involve obscene calls or remarks made in any written form. It involves exposure to pornography or being photographed for pornography.



Emotional Abuse

Emotional abuse involves a consistent attack on the child or young person's self-esteem to the extent that it is affecting the child or young person's physical, emotional, social and/or intellectual development. It can take the form of rejection, put-downs, intimidation, threats, frightening or isolating the child or young person.

Neglect

This is a situation where a child or young person's basic daily needs are not being met and this is risking their health and development. It can involve a lack of food, clothing, personal hygiene, shelter, medical treatment or appropriate supervision

Forced marriage

This includes a marriage without consent (16 years legally) of the marrying partners defined by the prevailing law of Nepal.

Discrimination

This means, a child should not be discriminated, whatever their race, religion, abilities whatever they think or say, whatever type of family they come from.

**This document outlines Patan CBR commitment to protecting children.
These guidelines are based on the following principles:**

- The welfare of children is the primary concern.
- All children, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm and abuse.
- Child protection is everyone's responsibility.
- Children have the right to express views on all matters which affect them, should they wish to do so.
- Organisations shall work in partnership together with children and parents/carers to promote the welfare, health and development of children.

Patan CBR will:

- Maintain safe and secure environment.
- Promote the health and welfare of children by providing opportunities for them to take part in sports and other extracurricular activities safely.

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- Give an opportunity to children to demonstrate their gifts, talents and creative ideas.
- Provide equal opportunity and treatment to children who are poor, helpless, children with disability.
- Increase access to and confidentiality of complaint mechanisms so that children are more likely to seek help when they feel at risk or have been abused. It should encourage children to break the “culture of silence” in cases of abuse. It should empower them by building confidence, and giving life skills in order to cope with risk situations.
- Take seriously if a child or someone on behalf of the child reports of abuse, assure that his/her report will be followed up and respond in line with policy and procedure.
- Respect and promote the rights, wishes and feelings of children.
- Promote and implement appropriate procedures to safeguard the well-being of children and protect them from abuse.
- Recruit, orient, support and supervise its staff, members and volunteers to adopt best practice to safeguard and protect children from abuse and to reduce risk to themselves.
- Require staff, members and volunteers to adopt and abide by this Child Protection Policy and these procedures.
- Respond to any allegations of misconduct or abuse of children in line with this Policy and these procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Regularly monitor and evaluate the implementation of this Policy and these procedures.
- Orient staff to be able to recognize and avoid any situation that may create risk for a child.
- Increase the number of female staff members, particularly in activities that affect girls.
- Always act responsibly and keep safe by minimizing the risks when in contact with children who display sexualized or inappropriate behaviour.
- Make staff aware of sanctions for failing to respect the policy.
- Report to authorities if it became aware of forced marriage of a child.
- Take care that there is enough adult staff to take care of the children and protect them.
- Carefully screen applicants during the recruitment period, including references and a police record when possible. Mandate the selected candidate to sign a statement that he/she has no previous convictions for abuse against children, violent behaviour or improper conduct.

Staff and others should not:

- Physically hit a child or discipline a child in a way which is in breach of this Policy.
- Take images of children (photos, video, etc.), which is detrimental, sexually explicit or undermines the child’s dignity in any way.
- Develop personal relationship with a child which may be harmful to the child



- Use seductive or abusive language
- Cultivate relationship with individuals, organizations etc. that may tempt any form of child-abuse or trafficking.
- Invite a child to their personal residence unsupervised
- Abuse their own children or employ child labourer at their personal residence.
- Discriminate children on the basis of their caste, ethnicity, religion, disabilities, ethnic traditions and actions of parents.

Procedure of Investigation in the circumstances of detection of Child Abuse

- If a child discloses of abuse, Patan CBR staff or volunteer needs to take seriously and assure the child that he/she will inform someone else, reassure them the abuse is not their fault, inform them he/she will be talking to the authorities to get help for them and record carefully what the child has said including the date and time of the conversation and any incident disclosed and report to Executive director or/and Administrative officer
- The allegation will be kept confidential, except for those who are directly involved having the appropriate information.
- If a member of staff is the subject of an allegation of child abuse, that staff member will be asked to take leave from their duties until an investigation has been completed. The suspension does not mean he/she is guilty; however, it will protect all parties while the investigation is in process.
- If the outcome of investigation found the breach of this policy, the guilty party will be dismissed from their post immediately and the matter will be handed to the police for necessary legal actions.
- If abuse has not occurred, steps will be taken to sensitively reinstate the accused.

Restoration

- The child will be provided medical care, support and counselling as abuse causes psychological harm, trauma and developmental stagnation. The child will be referred to professional services if further support is required.
- If a child is found neglected by its carer, staff or volunteer, CBR will warn the concerned party to restore such a right of the child within a given timeframe.

Review of the policy

This Policy and these Procedures will be regularly reviewed:

- In accordance with changes in legislation and guidance on the protection of children or following any changes within Patan CBR.
- Following any issues or concerns, raised about the protection of children within Patan CBR.

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Appendix 1 – Indicators of child abuse

A professional judgement is essential when looking at indicators of abuse as staff and volunteers need to be aware that if any of the below do exist it does not automatically mean abuse is happening. If anyone has doubts or concerns no matter how small about a child or young person, they should discuss with Patan CBR Executive Director or Administrative officer as soon as possible

Some indicators of Physical Abuse:

- Bruises, burns, sprains, dislocations, bites, cuts, welts.
- Symptoms indicating poisoning.
- Fractured bones
- Internal injuries
- Shaking injuries
- Evidence of strangulation
- Refuses to talk about injuries or implausible reasons given for injuries
- Wary or distrustful of adults
- Expresses little or no emotion when hurt
- Is scared of returning home or of their parents being contacted.
- Withdraws from physical contact
- Is aggressive towards others or alternately can be very passive or complaint
- Wears winter clothing that covers their arms and legs in warmer weather.
- Regular "running away" incidences
- Is fearful when other children cry or shout.

Some indicators of Sexual Abuse:

- Itchiness, soreness, discharge or unexplained bleeding
- Injury to genital or rectal area
- Discomfort in urinating or defecating
- Frequent urinary tract infections
- Sexually transmitted diseases
- Pregnancy in adolescence where the identity of the father is vague or secret
- Bruising and other injuries to breasts, buttocks, lower abdomen and thighs
- Torn, stained or bloodied underwear
- Difficulty walking or sitting
- Anxiety related illnesses like anorexia or bulimia
- Shows persistent and age-inappropriate sexual activity
- Very attentive to adults of a particular sex or fearful of a particular sex
- Display an unusual interest in the genitals of others
- Acting out sexual behaviour with adults, dolls or other children.



- Open displays of sexuality eg. Repeated-public masturbation
- Complains of stomach or headaches
- Regressive behaviour eg bedwetting, separation anxiety
- Acting out behaviour such as aggression, lying, stealing, running away, drug or alcohol abuse, suicide attempts.
- Difficulty sleeping and nightmares
- Excessive bathing

Some indicators of Emotional Abuse:

- Delayed development in one or more areas
- Speech disorders
- High anxiety
- Low self-esteem
- Very aggressive or passive
- Difficulties in relating to adults or peers
- Fear in new situations
- Excessive running away or drug/alcohol abuse.
- Compulsive stealing

Some indicators of Neglect:

- Regularly tired and/ or hungry as a result may steal food or fall asleep in class
- Poor hygiene
- Low self-esteem
- Left unsupervised for long lengths of time or abandoned by parents/caregivers.
- Regularly wears clothing that is not suitable for the weather
- Medical needs that have not been attended to.
- Frequently away from school or arriving very late
- Drug or alcohol abuse
- Poor social relations or indiscriminate with affection
- Hangs around at school or other programs outside their regular hours

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Safeguarding Policy

Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with Patan Community Based Rehabilitation (Patan CBR) organization. This includes harm arising from:

- The conduct of staff or personnel associated with Patan CBR
- The design and implementation of Patan CBR's programmes and activities

The policy lays out the commitments made by Patan CBR, and informs staff and associated personnel of their responsibilities in relation to safeguarding.

This policy does not cover:

- Safeguarding concerns in the wider community not perpetrated by Patan CBR or associated personnel

What is safeguarding?

Safeguarding means protecting peoples health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programs.

Further definitions relating to safeguarding are provided in the glossary below.

Scope

- All staff contracted by Patan CBR
- Associated personnel whilst engaged with work or visits related to Patan CBR, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians

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Policy Statement

Patan CBR believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. Patan CBR will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

Patan CBR commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

Prevention

Patan CBR responsibilities

Patan CBR will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise from their coming into contact with Patan CBR. This includes the way in which information about individuals in our programmes is gathered and communicated.
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive orientation on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process

Staff responsibilities

Child safeguarding

Patan CBR staff and associated personnel must not:

- Engage in sexual activity with children
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking

Adult safeguarding

Patan CBR staff and associated personnel must not:

- Sexually abuse or exploit at risk adults
- Subject an at risk adult to physical, emotional or psychological abuse, or neglect

Protection from sexual exploitation and abuse



Patan CBR staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, Patan CBR staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an Patan CBR staff member or associated personnel to the appropriate staff member

Enabling reports

Patan CBR will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by Patan CBR's Disclosure of Malpractice in the Workplace (Whistleblowing) Policy.

Patan CBR will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to their Safeguarding Focal Point [as appropriate] or line manager. If the staff member does not feel comfortable reporting to their Safeguarding Focal Point or line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be a senior manager, Executive Director or a member of the Executive Team.

Response

Patan CBR will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see Procedures for reporting and response to safeguarding concerns in Associated Policies).

Patan CBR will apply appropriate disciplinary measures to staff found in breach of policy.

Patan CBR will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.



Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times.

Associated policies

Code of Conduct

Disclosure of Malpractice in the Workplace (Whistleblower) policy

Child Protection policy

Adult Safeguarding policy

Gender and Social Inclusion (GESI) Policy

Other policies as appropriate

Glossary of Terms

Beneficiary of Assistance

Someone who directly receives goods or services from Patan CBR's program. Note that misuse of power can also apply to the wider community that the NGO serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

Harm

Psychological, physical and any other infringement of an individual's rights

Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

Safeguarding

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm abuse and neglect

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programs. One donor definition is as follows:

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Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programs, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialize. Those systems must be survivor-centered and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

The term 'sexual exploitation' means 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. This definition includes human trafficking and modern slavery.

Survivor

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

At risk adult

Sometimes also referred to as vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

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Disclosure of Malpractice in the Workplace Policy

Purpose

At Patan Community Based Rehabilitation (Patan CBR), it is vital that everyone who works for us maintains the highest standards of conduct, integrity and ethics, and complies with local legislation. If an employee, volunteer, partner, consultant or contractor has any genuine concerns about malpractice in the workplace, we wish to encourage them to communicate these without fear of reprisals and in the knowledge that they will be protected from victimisation and dismissal.

This policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management.

Malpractice includes (but is not limited to) the issues listed below:

- Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion
- A failure to comply with any legal obligations
- Sexual misconduct, including sexual abuse, harassment or exploitation (see Patan CBR Safeguarding Policy)
- Abuse or exploitation of children, vulnerable adults or beneficiaries (see Patan CBR Safeguarding Policy as above)
- Breach of Patan CBR policy
- Abuse of position
- Danger to the health and safety of individuals or damage to the environment
- Improper conduct or unethical behaviour
- Activity which would bring the organisation into serious disrepute
- The deliberate concealment of information relating to any of the matters listed above

If you have a genuine concern and have a reasonable belief it is in the public interest, even if it is later discovered that you are mistaken, under this policy you will not be at risk of losing your job or from suffering any form of retribution as a result. This assurance will not be extended to an individual who maliciously raises a matter they know to be untrue or who is involved in any way in the malpractice. Those found to be making false allegations maliciously will have disciplinary action taken against them.

Malpractice is not a complaint about the performance and behaviour of a manager or other work colleague towards you. Such complaints will be directed for action to Patan CBR's Administrative rules.

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If you genuinely believe that the actions of someone who works for Patan CBR could lead to or has resulted in malpractice, please follow the procedure below.

1. Raise the matter with your line manager, who will consult with the appropriate contact point. If you feel that you are unable to raise the matter with your line manager, and you are able to, raise it with a more senior manager.

At the point of raising a concern it would be useful for you to share information describing:

- Whether anyone is at immediate risk of harm?
- What happened? If possible make note of dates, times, places, people.
- Who is involved?
- How do you know about it?
- When were you first concerned about it?
- Have you told anybody about it?
- Was any action taken?

All managers should:

- Report incidents of theft, fraud, or corruption immediately to Patan CBR's Fraud and Corruption lead/Executive Director.
- Report Safeguarding concerns relating to sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any Patan CBR representative to Patan CBR's Safeguarding lead/ Executive Director.
- Report any other incidents of malpractice in the workplace to Administrative and Finance Officer (AFO).

2. A decision will be made on whether it is appropriate to handle such complaints under this policy. Where not appropriate the complainant will be informed and their permission sought to divert the issue to the appropriate HR procedure.

3. When matters are reported to the Fraud and Corruption lead, Patan CBR's Financial/ Administration Rule will be followed. If an investigation is conducted, the outcome may involve taking disciplinary action if misconduct has been proved, which may include dismissal.

4. When matters are reported to the Safeguarding lead, Patan CBR's Safeguarding Investigation Guidelines will be followed. If an investigation is conducted, the outcome may involve taking disciplinary action if misconduct has been proved, which may include dismissal.

You will be notified once the matter has been resolved, but outcomes are subject to confidentiality and may not be communicated.

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Patan CBR will take appropriate action, which may end in dismissal, in accordance with the relevant procedure against any employee, volunteer or consultant who:

- Has been found to be victimising another individual for using this procedure, or deterring them from reporting genuine concerns under it.
- Made a disclosure maliciously that is known to be untrue or without reasonable grounds for believing that the information supplied was accurate.

Other procedures:

If the line manager is involved in the alleged malpractice in some way

If the line manager is involved in the alleged malpractice in some way, the matter should be raised with the next senior manager in the management line. Concerns regarding financial wrongdoing may be raised directly with the Fraud and Corruption lead and concerns relating to sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any Patan CBR representative to the Safeguarding lead.

Anonymous Disclosure

You are strongly encouraged not to make anonymous disclosures as details and further concerns cannot then be checked with you and this may seriously limit the ability of investigators to pursue your concerns. Nonetheless, all disclosures, made anonymously or otherwise, will be reviewed but lack of information may limit the nature, extent and outcome of the investigation.

Investigation Conductor

Normally an independent person from within Patan CBR will be appointed. On rare occasions, or for complex cases such as safeguarding, external investigation support may be sought.

Matters involving a criminal offence

The issue may also be reported to the police if a criminal offence, such as fraud or theft, or sexual assault has been committed.

Matter involving a complaint about the performance or behaviour of a manager or colleague against me.

Such complaints will be directed for action to the appropriate Patan CBR Administrative rules, unless the concerns relate to concerns of sexual misconduct or other forms of malpractice listed in this policy.

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