



*Growing  
Together  
in Solidarity*

# Social Protection And Safeguarding Policy (2020)

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**First  
Edition**

# For Human Dignity, Social Justice and Empowerment

## SOCIAL PROTECTION AND SAFE GUARDING POLICY (2020)

*Child Protection. Social Inclusion Safe work place (Anti-Harassment)*

*Protection Against Sexual Exploitation and Harassment*

*Gender Equality and Empowerment*

### **Policy Statement**

*As the social arm of the Catholic Church in Nepal and member of Caritas Internationalis, we are committed to the fundamental values and principles of the Catholic Social Teachings (CST)- **Human Rights, Respect and Dignity; Equality and Social Justice.***

*We are committed to ensure respect for human life, dignity, safety, protection and accountability in all spheres of our works including personal and professional fronts. This is core to our mission of empowering the most marginalized, disadvantaged and vulnerable groups and individuals for a “Peaceful, equitable and just society, where there is solidarity among people and respect for human dignity”.*

*We believe that Social Protection and Safeguarding is very critical in reduction of poverty, inequalities and multidimensional deprivation, the goals that we aspire to achieve through our programmatic interventions. It is also critical for the dynamic, cohesive and stable societies that we strive to build. Hence, we shall be held accountable for the wellbeing, safety and protection of all people we engage with, and especially children and vulnerable adults through social protection and safeguarding measures.*

*We shall work with the most vulnerable and marginalized groups in a more thoughtful, conscious, coordinated and ethical manner. We will institutionalize systems and practices to timely assess, identify and understand social issues and concerns and address it through timely, appropriate, and effective manner. We shall be guided by a strong, value driven and ethical personal and professional code of conducts. We shall anchor all our response and actions on human rights approach and ensure that our policies, processes and interventions responds to immediate risk and constrains, but with the end goal of empowering the people.*

## **I. Preamble**

- i. This policy document has been prepared as a broad policy framework to guide us in fulfilling our commitment for Social Protection and Safeguarding. It comprehensively articulates our commitments and measures to address our concerns related to two main areas i.e.
  - A. Social Protection
  - B. Safeguarding
- ii. Further, policy provision related to other key areas that are important and also essential to realize our overall social protection and safeguarding goals have also been incorporated within this broad policy framework. Which includes:
  - i. Child Protection Policy
  - ii. Protection against Sexual Exploitation and Harassment (PSEAH)
  - iii. Gender Equality and Empowerment
  - iv. Safe Work Place : Anti-Harassment and Discrimination Policy
  - v. Social Inclusion Policy
- iii. All the above areas covered in this policy framework stems from a common foundational values and underlying guiding principles. Hence, they are interlinked and compliments/ supplement each other. Policy provisions specific to each area have been articulated separately, in addition to common set of responses to collectively address the entire social protection and safeguarding framework. This was to stress the importance and emphasize our commitment to each priority areas, as well as to establish a clear guideline

for addressing each areas specifically. Collectively these provisions shall constitute our overall policy framework for our social protection and safeguarding.

## **II. Purpose of this Policy**

- iv. Caritas Nepal honours the right of people, to be treated with respect, live a secured and dignified life without any fear or deprivation; have equal opportunity for growth and development and to receive protection and assistance without any intimidation and humiliation.
- v. Therefore, it is our responsibility to prevent any violations of this rights and articulates our committed to promote a safe, respectful and empowering environment for everyone we engage with.
- vi. This policy reflects our fundamental values and principles of Human Rights, Respect and Dignity; Equality and Social Justice and establishes our commitment and standards for social protection and safe guarding.
- vii. This policy defines the personal and professional conduct of each individuals associated with Caritas Nepal with regards to social protection and safeguarding concerns. It Set a clear standard regarding their moral and legal obligations towards all people especially children and vulnerable adults with whom we work.

## **III. Scope**

- i. This policy applies to the entire organisation including the Head Office in Kathmandu and all its Regional Offices, District Offices and Project/Programme or Field Office and any other entity under the management and operation of Caritas Nepal (presently existing or to be established in future)
- ii. This policy applies to all our staff members including part time and temporary staff, volunteers, interns and staff under special term employment contract
- iii. This policy also applies to general members and board members.
- iv. The definitions, principles and policy provision in this policy also extend to relationships Caritas Nepal have or shall have with third parties and/or external stakeholder which includes donors, consultants/vendors/contractors, implementing partners and members of CN's the association such as consortium, alliance and network members (external associates) as well as members of the community where we work.
  - a) Third parties (external associates) are expected to accept and adhere to the terms of this policy. We shall take reasonable and practical measures, to the best of our ability, to protect our staff members and members of the community from any harm by third party (and vice versa)
  - b) However, in any case of misconduct, where third party (external associates) are concerned and in case which is outside the scope of our authority, CN shall not directly engage in the subsequent action (such as investigation and sanctioning). The case shall be referred to the organisations they represent or to the legal authorities (if needed). We shall however suspend any engagement (or contract) with the concerned individuals/organisation until the case is cleared and cancel the contract, if proven guilty.
  - c) In case where, the survivor(s) is our employee or member of the community where we work, then we shall closely follow-up with the concerned organisations/individuals and engage (as appropriate) with the subsequent processes (including legal measures).
  - d) In case where the alleged respondent is our employee (including volunteer and interns); members of the EC and general members (even where victim is a third party) , then we shall proceeded with the subsequent process of investigation and sanctioning as per the provisions stated in Complaint Handling Policy and Procedure (2020)
- v. This policy shall cover all kind of human right violence, abuse and injustice:
  - a) both within the personal and professional sphere
  - b) both during and beyond official duty period
  - c) Whether it takes within CN's premises or elsewhere including at training, workshop or other official events, social events, professional trips etc; during or off duty.

## **IV. Definitions of Terms**

In this '*Social Protection and Safeguarding Policy (2020)*', unless the subject or the context requires otherwise:

- i. "Organisation" means Caritas Nepal (which is also referred to as 'Us', 'We' and 'Our')
- ii. "General Assembly" means the General Assembly of Caritas Nepal

- iii. “Executive Committee” means the Executive Committee (EC) formed in pursuant to the constitution of Caritas Nepal, which is defined by Caritas Nepal’s constitution as the final executive authority of the organisation.
- iv. “President” means President of Executive Committee of Caritas Nepal.
- v. “General Members” means the members of the General Assembly of Caritas Nepal
- vi. “Executive Director” means head of staff appointed by Executive Committee of Caritas Nepal.
- vii. Associates means all those individuals or organisations with whom Caritas Nepal collaborate or engages with for services or other purpose; or those who represents Caritas Nepal or acts on our behalf of Caritas Nepal. It includes donors, implementing partners, vendors, contractors and consultants etc.
- viii. “Government” means the Government of Nepal. Also referred to as GoN.
- ix. “Employee” means a person engaged (hired or employed) by Caritas Nepal in pursuant of its Human Resource Management Policy and Procedures (2016). Also referred to as ‘Staff’ or “Staff member”.
- x. “Supervisor’ (or “immediate Supervisor”) means the person authorized for the supervision and direction of the concerned staff members. Supervisor have line authority over the staff (supervisee) as outlined in the organization structure (Organogram) of Caritas Nepal, and stated in the respective Job Description of the Supervisor and Supervisee
- xi. Seniors manager means the person engaged (hired or employed) by Caritas Nepal for the position (job) that entails a management portfolio (management duties and authorities; including managing teams of employee). It includes Head of Department (HOD)- the person appointed by Caritas Nepal to lead their respective department/unit/section in the organisation.
- xii. “Survivors” means the person who have been affected by or have experienced, attempted or actual act of misconduct, abuse or violence. In case where the survivors choose to be identified as a victim, then the word “victim” shall be used to refer to survivors.
- xiii. “Complainant” means the person (or entity) who formally registers the complaint. Complainant may or may not be the survivor.
- xiv. “Perpetuator” means the person who causes or perpetuates the act of attempted or actual act of misconduct, abuse or violence. Also referred to as respondent, i.e. the person (or entity) against whom the complaint is registered.
- xv. “Whistle blowing” is the act of alerting the authority or exposing any kind of information or activity that is deemed inappropriate, a misconduct or non-compliance of this policy. The person who undertakes this act (blows the whistle) is referred to as the “Whistle-blower”

## **V. Enforcement, Interpretation and Amendment**

- i. The Executive Director, shall be responsible for interpretation, implementation of this policy including regular monitoring of it. The ED shall be supported by Head of Departments and the department/sections or units assigned the social protection and safeguarding portfolio (presently assigned to social protection desk)
- ii. Designated unit/section (presently the Social protection desk) shall be responsible for facilitating the implementation of this policy. As necessary, official shall be designated to oversee specific issues (or lead specific theme) related to social protection and safe guarding (such officer, coordinator or focal person for child protection officer, gender focal person, migration theme leader etc). In addition to the designated social protection desk, additional programmatic/thematic units (desk, department) can also be constituted (such as trafficking, migration) to lead (and/or facilitate) respective thematic priority on social protection and safeguarding.
- iii. In case of any differences in understanding or interpretation of this policies and provisions in this document, the Executive Board, led by the President, will hold the final authority to define and interpret the policies and provisions in this document.
- iv. Line managers shall be responsible to orient all the staff members under his/her supervision including volunteers interns and all our associates.
- v. All staff members and associates are required to thoroughly read and familiarize themselves with the policy and provision in this document (and other policies and guidelines which are to be read in conjunction with this policy). All staff members shall sign a self-declaration form verifying that they have read, understood and abide by this policy and all relevant polices whereas in case of associates similar declaration shall be part of our contractual agreement.
- vi. The Human Resource Department, in collaboration with the protection desk, shall arrange orientation and trainings to ensure that the policy and provisions are understood and adhered to by all concerned

- vii. Appropriate administrative and managerial procedures and mechanisms as well as other necessary policy framework and guidelines will be put in place (as necessary) to facilitate effective implementation of this policy. As necessary manuals, frameworks, tools kits reference materials in different areas (and topic) covered by this policy (child protection, gender, social inclusion etc) and other thematic priorities (such as migration, trafficking, modern-day slavery etc) shall be developed to ensure effective implementation of this policy.
- viii. Caritas Nepal will periodically review this policy with respect to legal and regulatory developments and to ensure compliance and best practice as well to effectively respond to the emerging needs and the changing context of our operation. The Executive committee will have the authority to revise this policy with approval from the General Assembly. All the staff members, general members, EC and associates will be updated on the revised policy and provisions through appropriate communication, orientation and trainings.
- ix. This policy will be implementing in conjunction with other policies and guidelines, facilitating the implementation of this policy, presently in existence or to be enacted in future. Hence, this policy shall be read in conjugation with all those relevant documents. These entails (but not limited to):
  - i. Constitution of Caritas Nepal (2047 BS)
  - ii. Code of Conduct (2020)
  - iii. Anti-corruption policy (2019)
  - iv. Complain Handling Policy and Procedures (2020)
  - v. Programme Management Guidelines (2020)
  - vi. Environment and Disaster Management Policy (2020)
  - vii. Advocacy Policy (2020)
  - viii. Human Resource Management Policy and Procedures (2020)
  - ix. Caritas Internationalis’s Code of ethics and code of conduct for staff (2014)
  - x. Caritas Internationalis’s Children and Vulnerable Adults Safeguarding policy
  - xi. Caritas Internationalis’s anti-harassment policy

## VI. POLICY PROVISIONS

- i) Understanding Vulnerabilities <sup>1</sup>
  - a. Vulnerability is the inability of people, organizations, and societies to withstand adverse impacts of various stressors, shocks and to which they are exposed.
  - b. Caritas Nepal conceptualizes “vulnerability” as a multi-dimensional construct that entails socio-economic, political and environment factors. It is understood within the broad framework of “**social vulnerabilities**”, as we understand that vulnerability is “socially constructed” due to power inequalities within society and hence its characteristics inherent in social interactions, institutions, and systems of cultural values”<sup>23</sup>.
  - c. Therefore, we understand social vulnerabilities as a “structural issue”. It is created through the interaction of social forces and multiple stressors, and resolved through social (as opposed to individual) means. While individuals within a socially vulnerable context may break through the “vicious cycle,” social vulnerability itself can persist because of structural—i.e. social and political— influences that reinforce vulnerability<sup>4</sup>.

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<sup>1</sup> IFRC, What is Vulnerability; UNDP Putting People First: Practice, Challenges and Innovation in Characterizing and Mapping Social Groups Introduction to Social Vulnerability

<sup>2</sup> UNDP. Introduction to Social Vulnerability. Putting People First: Practice, Challenges and Innovation in Characterizing and Mapping Social Groups

<sup>3</sup> Thought the existing literature broadly defines social vulnerabilities within the context of disaster or emergencies, CN’s understanding of vulnerabilities, in addition to risk and impact associated with disaster or in context of emergencies , also includes those associated with everyday interactions, attitudes, behaviors and actions, both intentional and unintentional.

<sup>4</sup> Cutter, S. L., Boruff, B. J., & Shirley, W. L. (2003). Social vulnerability to environmental hazards. *Social science quarterly*, 84(2), 242-261. doi: Doi 10.1111/1540-6237.8402002.

- d. Social **vulnerability** entails:
- *Exposure* and *susceptibility* to existing/potential harm; or losses or social, economic or environmental fragilities.
  - Lack of *resilience* or diminishing *capacity* to anticipate, withstand/resist, cope with and recovery from the impact from multiple stressors to which they are exposed

e. Factors affecting vulnerabilities

A. People are vulnerable due to various **(contributing) factors** such as:

- Poverty (Economic/Income) and Livelihood (unsecured, hazard)
- Sex
- Class
- Caste
- Race/Ethnicity/colour
- Culture
- Religion
- Gender/ Gender roles, relationship and reassignment-pregnancy, maternity
- Age
- Health /medical conditions
- Language
- literacy
- Households and families
- Marital status and civil partnership– Single women
- Geographical locations
- Sexual orientation and gender identities (SOGI)
- Harmful cultural practices
- Disaster
- Conflict

B. Various factors define (influences or shapes) the extent and the impact of vulnerabilities and also governs one's ability to respond to it. These **dimensions of vulnerability** includes (but not limited to)

- Level of poverty (including livelihood security)
- Lack of or limited access to resources such as information, knowledge and technology and basic services
- Lack of or limited access to political power and representation (marginalization, exclusion)
- Lack of or limited social capital including social networks and connections
- Inappropriate or inadequate beliefs, practices, attitude and culture in response to existing risk, shocks and stresses
- Lack of or limited access to critical services such as communication, transportation, power supply, water supply, sanitation, etc.
- Vulnerable environmental settings – disaster prone, history of conflict or social unrest
- Attitude and culture to risk, shocks and stresses

**Categorization of vulnerable individuals/groups or communities**

- People living below the poverty line (Less than Nrs 25000 income )
- Ethnic/Social identities - Dalit, Janjati, Madeshi, ethnic minorities group (rautes, chepangs)
- Elderly (> 65) particularly those without support
- All children (below 18 years particularly
  - infant/toddlers
  - children below 5 years unaccompanied children
  - Child labours
  - Out of school children
- Women
- Single women
- Household with single parents, women/single women and children headed household
- Survivors of abuse/sexual abuse
- Persons with disabilities (10 types classification as per GoN)
- People living in rural context/far off regions (marginalized in terms of accessibility and development)
- People with different Sexual orientation and Social Identity - LGBTQ+
- Labourer daily wage earners
- Victim/ survivors or those at risk of modern day slavery – bonded labours (Kamaiyas; Kamalari; Brick klin workers and others working in hazardous or precarious conditions); trafficking, sex workers
- Muslim and other religious minorities
- Communities speaking local dialects
- Person in trauma and with mental health issues
- Internally and externally displaced
- Illiterate
- Sick/ill including those dependent on regular medical assistance
- Displaced and Migrant population including migrant returnee
- Destitute population- homeless/people living in slums/squatters or illegal settlement
- Landless farmers
- Pregnant and nursing mothers
- Disaster victims
- Conflict victims
- Unemployed youth

- Limited community infrastructure, resources, mechanisms (local community based) including policy framework and government programmes and services particularly for safe-guarding, social protection of vulnerable communities
- C. These above factors and dimensions defines:
- the degree or the extent to which a person is exposed to potential risks/shocks/stresses
  - its subsequent impact
  - the capacity of the person to cope with it.
- D. In addition to vulnerabilities due to above factors (economic poverty; social identities; emergencies) people are also vulnerable when they are isolated, insecure and defenceless in the face of risk, shock or stresses or any conditions that creates any kind of deprivation, exclusion or discrimination.
- f. Vulnerable populations (Individuals/groups/Communities)
- Vulnerable populations are individuals, groups or communities who are “vulnerable” as stated above
  - They include both children and adults, who are aged 18 years and over and are at greater risk of significant harm.
  - Vulnerable population, groups or individuals are collectively referred as “**Children and Vulnerable Adults**” in this policy document
- ii) With the above understanding of vulnerabilities and vulnerable groups (children and vulnerable adults) we are committed to ensure that all spheres of our works are undertaken with due consideration for social protection and safe guarding.
- iii) We shall respect the law and provisions of Government of Nepal (GoN), International Humanitarian Principles; Universal Declaration of Human Rights and international conventions related to social protection and safeguarding. We shall also be guided policy, framework directives and policies promoted by Caritas Internationalis; international best practices as well as local policies and practices in fulfilling our commitments.
- iv) We shall follow the principles of human rights, justice, “do no harm” and in the “best interest” of the concerned individuals.
- v) **Organisational and programmatic response:**
1. We shall ensure appropriate measures are in place to systematically identify and address social protection and safeguarding concerns, through provisions at multiple levels, targeting both personal/professional conduct at individual level as well as programmatic response at organisational level.
    - 1.1 We shall enforce **code of conduct** and management practices that upholds our values and commitment for social protection and safeguarding
    - 1.2 At the programmatic level, social protection and safeguarding shall be primarily promoted as a **mainstreaming measures**. Necessary approaches, strategies and tools for mainstreaming shall be defined by the protection desk. Where needed, targeted interventions shall also be pursued in addition to the interventions mainstreaming into our core programme interventions.
    - 1.3 A robust and comprehensive **vulnerability assessment** system for risk assessment and planning shall be institutionalized as an integral part of our programme management.
    - 1.4 Social Protection and Safeguarding shall be institutionalized as an integral part of our Monitoring, Evaluation, Accountability and Learning (MEAL) framework.
    - 1.5 **Partnership:** We shall work only with associates who values human dignity and honours our commitment for preventing and addressing protection and safeguarding concerns.
      - a) Commitment to social protection and safeguarding shall be an essential aspect of defining our partnership relations and hence integral part of our contractual agreement. We shall not enter into partnerships with any organizations that do not give priority to social protection and safeguarding or have poor record on the same.
      - b) Partnerships with implementing organizations will be approved only after a partnership assessment is undertaken to ascertain that social protection and safeguarding is embedded in

their organisational practices. This will include assessment at the level of awareness; policy and guidelines and organisational mechanisms and practices that has been put in place

- c) We will continuously work with our implementing partners to review and provide necessary support (as solicited) for strengthening their social protection and safeguarding policies, procedures and practice.

1.6 we recognize that the vulnerabilities of children and vulnerable adults drastically increases during **emergencies/ humanitarian crises**.

- a) we shall ensure that adequate attention is given to the social protection and safe guarding concerns during emergencies and addressed accordingly.
- b) We shall ensure that necessary system and process are in place in accordance with this policy to address social protection and safeguarding concerns during emergencies
- c) Social protection and safety concerns shall be incorporated in all institutional mechanisms and protocols related to emergency and disaster management (such as Caritas Nepal Emergency Response guideline; DRR plans and strategies)

## 2. Following measures has been provisioned, specifically for **SOCIAL PROTECTION** and **SAFEGUARDING**

### 2.1 Social Protection: Protecting from life-long effects of poverty and Inequalities

#### 2.1.1. Definition

- a. We understand social protection as range of policies and programmes concerned with preventing, managing, and overcoming situations that adversely affect people's well-being<sup>5</sup>.
- b. Social protection deals with both the absolute deprivation and vulnerabilities of the poor but also the need of those who are not poor but face security threats (vulnerabilities) in the face of shocks and life-cycle events.
- c. Social protection does not only help to prevent individuals and their families from falling or remaining in poverty but they also contribute to measures that enable them to overcome poverty and build resilience to deal with future shocks and stresses. Example of such measures includes investment in economic growth by raising labour productivity and enhancing social stability<sup>6</sup>
- d. We recognize that social protection is of strategic important for us for achieving our goal of reducing poverty and inequality for overall well-being of the people we chose to serve.

2.1.2 We shall adopt a “right based approach” for our social protection measure where the end goal will be “**EMPOWERMENT**”. Through our social protection measures, we shall seek to promote basic and immediate needs of the targeted groups but also nurture their capabilities and potential with the aim to foster their inclusion in the mainstream society (mainstream development), with the end goal of empowerment. For this we will focus on measures that addressing the deep-rooted, fundamental inequalities between privileged and marginalized segments of society. We shall avoid creating any kind/level of dependency and stigmatization. Instead, we shall seek to enhance the ‘voice’ and ‘political leverage’ of the poor and vulnerable populations to empower them to be part of the whole.

2.1.3 We shall promote social protection as a programmatic interventions (both in our regular development programmes and also in humanitarian/emergencies context). Social protection shall primarily be pursued as a mainstreaming measure. However, where necessary specific targeted interventions to address specifies social protection concerns shall also be pursued.

2.1.4 Our social protection interventions shall target only the specific segment of the community, which has been identified as vulnerable population amongst, our entire project/programme beneficiary i.e **targeted**

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<sup>5</sup> United Nations Research Institute For Social Development

<sup>6</sup> International Labor Organization (ILO)

**approach** (as against universal approach). Caritas Nepal works with vulnerable communities in areas where there is a need for development (or emergency relief) assistance, which means the entire population we work with are vulnerable in some ways. However, for our social protection measures, we shall assess and identify the most vulnerable amongst the general project/programme population i.e. targeting the poorest of the poor, the most marginalized amongst the marginalized and excluded, who are more vulnerable to risk and likely to be impacted more than the others. Where our overall programme interventions with general standard of opportunity and livelihood shall be implemented for the entire project/programme population, additional social protection measures shall be targeted towards the section of the population who are temporarily or persistently under poverty and struggling to meet their basic livelihood needs. This approach distinguishes social protection measures from our general development (or emergency) interventions within which our social protections measures shall be mainstreamed.

- 2.1.5 A details assessment (vulnerability assessment/need assessment) shall be undertaken to identify the vulnerable groups and ascertain their reality, vulnerabilities, assets, capabilities, potentials and the prioritized need. The vulnerability assessment shall inform the design of our social protection measures, which shall be detailed out in the respective project/programme planning and other relevant documents.
- 2.1.6 The social protection measures shall be tailored to the need of the vulnerable community and contingent to the nature of the project/programme and the implementing context. However, irrespective of the implementation context, all our social protection measures shall be based on the following principles:
  - a. Appropriate and responsive to the needs, realities and conditions of the intended target groups
  - b. Accessible: free of any kind of barriers
  - c. Affordable: does not place unreasonable burdens on individuals, households and communities
  - d. Sustainable: builds local capacity and resilience; avoids creation of dependency and stigma
  - e. Flexible: responding to rapidly changing scenarios and emergence of new challenges
- 2.1.7 Our social protection measures shall focus on (but not limited to):
  - a. Promoting access to basic essential services - including food and nutrition security
  - b. Strengthening livelihood options for the poor and vulnerable, focusing on enhancing household income such that it will contribute to uplifting the standard of living (quality of life and overall wellbeing)
  - c. Promoting alternate/diversification of livelihood options to address un/under employment and livelihood security
  - d. Promoting insurance scheme (health insurance, assets insurance- livestock and crop insurance)
  - e. Promoting access to social security schemes – such as government social security allowances for elderly, persons with disabilities, single women as well as scholarship and other cash educational support for children
  - f. Promoting access to social assistances [such as subsidy (in project/programme related activities or government schemes); cash transfer (cash for work) and other support in cash/kind (such as essential supplies- relief food supplies, emergency medicinal support, education material supports)] to individuals or households with no other means of adequate support for livelihood
  - g. Strengthening access to productive assets and resources such as credits and other financial services
  - h. Strengthening the people’s social capital (and social safety net) by promoting inclusion/participation and facilitating engagement with the larger community which includes
    - Fostering trust, cooperation, reciprocity among community members
    - Nurturing the sense of belongingness/shared identity/shared values and norms among community members
    - Strengthening capacity of the targeted population to be part of and engage with of local system, processes, networks and institutions (participation, social inclusion)
    - Promoting and strengthening collective/public assets that enhances the social capital of the targeted vulnerable populations

- i. Strengthening access and capacity to engage with the local protection mechanisms (such as local judiciary committee; mediation committee etc) through information, communication and capacity building support
  - j. Promoting risk mitigating measures/ investment in preventive measures [such as health and hygiene; sustainable livelihood (e.g. technologies to avoid crops failure; entrepreneurship; livelihood diversification); disaster risk reduction measures (in accordance with our Environment and DRR policy(2020 )); promoting saving/assets creations etc.]
  - k. Promoting measures for building future resilience such as investment in strengthening capabilities for future productivity (e.g. skill knowledge, self-confidence, perseverance, adaptability or dependability and entrepreneurship)
- 2.1.8 We shall also conduct regular monitoring and evaluation (including external independent reviews and inspections) to ensure that the social protection issues are adequately and appropriately addressed
- 2.1.9 In addition to thematic programmatic interventions (mainstreamed in our core thematic areas), we shall pursue the following strategies to promote our social protection goals:
- a. We shall particularly engage with local/national government entities and social protection mechanism [such as Municipality/rural municipality; judicial committee (Nyayik Samiti), Mediation centre (melmlap kendra);local police; line agencies with the mandate of protection of children and vulnerable adults] with the focus on strengthening the effectiveness and outreach of their mechanisms and services through:
    - Advocacy for necessary policy frameworks and mechanisms
    - Technical Assistance/ advisory support and other resource support to strengthen and scale up services (scope and access) such as support for planning ; system development/strengthening; top-up cash transfer; constituting/contribution to emergency assistance fund or other social security fund; Training/capacity building and technical team support; materials/tools/technology support etc.
    - Support/collaboration for implementing government’s plan of actions (and those of other social protection entities) in relation to social protection
  - b. We shall collaborate with civil society organizations, networks/collations/alliances, local formal and informal community groups and other relevant entities including local volunteers, leaders and activist especially for a) joint advocacy to promote social protection concerns b) referrals services for enhancing access to social protection services (counselling, legal aid.
  - c. We shall collaborate with our implementing partners and local institutions we work with (such as cooperatives) to strengthen them as the nodal agency for advancing our social protection goals. Technical and advisory support shall be provide to enable them to function as watchdog, advocate and service provider (or facilitator) for services relate to social protection. They shall also be supported to effectively engaging with the vulnerable groups and mobilizing the larger local community for promoting social protection and safeguarding concerns.

## **2.2 Safeguarding Measures: Protecting Children and Vulnerable Adults**

### **2.2.1 Definitions and scope**

- 2.2.1.1 This policy relates to all people including children and vulnerable adults with whom Caritas Nepal has direct or indirect contact with and those who need to be safeguarded from abuse and exploitation.
- 2.2.1.2 We understand Safeguarding as measures to ensure safety, particularly of children and vulnerable adults, and to protect their wellbeing and human rights to live free from any kind of abuse, harm and neglect. It entails:
- Implementing deliberate measures to preventive the risk of any kind of harm, stresses, shocks and abuse

- Promoting a safe environment and work culture through promotion of harmony, cohesion, compassionate and care giving practices (such as participation, respect for diversity, extension of support etc)

2.2.2 CN recognizes that all people, especially children and vulnerable adults, have the right to protected. They are also entitled to security, rescue and protection with priority in case of any kind of emergencies or disaster. We are committed to honour this right of every individual we work with, regardless of class, caste, sex, poverty, disabilities or any other social identities

2.2.3 We shall timely assess and identify the needs of children and vulnerable adults and put appropriate measures in place, to the best of our ability to create and maintain a safe environment free of any form of abuse, discrimination or exploitations and harassment. We shall peruse a policy of “do no harm” in all areas of our work

2.2.4 We shall peruse a “**zero-tolerance**” policy towards activities involving any kind of unacceptable behaviour that compromises the security and dignity of children and vulnerable adults.

2.2.4.1 We shall strongly enforce CN’s Code of Conduct (2020) that prohibits acts of discrimination, abuse and exploitations, which are defined as major offense subject to disciplinary actions, which includes criminal prosecution.

2.2.4.2 We shall strongly enforce CN’s Anti-corruption policy (2019), which incorporates the wider definition of corruption to also include moral corruptions (and not just financial), establishing all unethical acts such as abuse of authority, harassment, exclusion or any kind of discrimination as a moral corruption and hence an offense subject to disciplinary actions, which includes criminal prosecution.

2.2.4.3 We shall take all safeguarding concerns seriously, and will deal with any suspicion or allegations raised confidentially. All investigation, disciplinary actions and appeals shall be undertaken demonstrating fairness, impartiality, respect for confidentiality and free from intimidation or favouritism.

2.2.4.4 All allegations registered shall be addressed in compliance with CN’s Complaint Handling Policy and Procedures (2020). Additional arrangements shall be made to ensure the safety, dignity and support to children and vulnerable adults throughout the process. The additional protocol for this shall be defined by the social protection desk.

**2.2.4.5 Reporting: Whistle-blowing and complaint handling procedures**

- a) We believe that the survivors of any kind of abuse has the right to a dignified and effective investigations and assistance. We shall ensure timely, credible, unbiased, confidential and safe investigations and sanctions in accordance with our Complain Handling Policy and Procedures (2020)
- b) All staff members and associates are encouraged to report issues and concerns related to social protection and safe guarding, either experienced by self or observed, with full confidence that it will be handled with due regards to the safety, dignity, and the best interest of the person involved and following due processes.
- c) In case of whistle-blowing, the reporting needs to be done keeping in mind the safety and the best interest of the survivor (s).
  - i. The name of the survivor shall not be disclosed without the consent of the survivor(s).

**Stressors, shocks or cause of harm includes any kind of inhuman or degrading treatment and unacceptable behaviour such as:**

- Violence including gender-based violence, domestic violence
- Abuse including sexual abuse, neglect, abuse of authority
- Harassment including sexual harassment, bullying, victimization
- Discrimination including exclusion, Ostracism
- Exploitation including modern day slavery (trafficking, child/forced/bonded labour; harmful cultural practices )
- Direct/ indirect threats; Intimidation

- ii. The complaint shall not be registered on behalf of the survivor unless so desired by the survivor(s).
- iii. The survivor(s) shall not be forced to be engaged in the investigation and subsequent process unless the survivor(s) him/herself is willing to do so
- d) All reporting shall be done using the recommended format which shall include
  - Date, time and location of the incident;
  - Nature (and description) of the incident (case detail);
  - Expected remedy or action, including immediate help or action required
  - Any evidences or supporting documents (if available).
- e) False reporting shall be considered as an offence and subject to disciplinary action.
- f) Arrangement will be made to ensure easy access of necessary information on the Complain handling mechanism by all concerned (with details of phone no, email address, location of complaint boxes etc).

#### **2.2.4.6 Protection of Survivor, Complainant, Witness, Whistle-blower and Investigation Official**

- a) We will ensure full protection, to the best of our ability, of **Survivor, Complainant, witness, whistle-blower** and individual **engaged in investigation** against any retaliation - risk, harm, harassment, exclusion or victimization, including direct or indirect threats, intimidation or any informal pressures or any employment-related disadvantage or deprivation on account of their actions
- b) Any act of retaliation shall be considered as a major offence and subject to disciplinary actions.
- c) Arrangement will be made to provide necessary information on CN's commitment, policy and provision for protections and support to Survivor, Complainant, Witness, Whistle blower and individuals involved in investigation
- d) We shall arrange for necessary support for the survivors of any kind of abuse including protection against danger of any further risk or harm such as counselling, legal aid, referral to safe houses/transition homes or police protection etc

#### **2.2.4.7 Disciplinary Actions Appeals**

- a) CN shall take disciplinary actions against anyone violating this policy in accordance with the provisions and procedures defined in CN's Complain Handling Policy and Procedures (2020), if found guilty following the due investigation process.
- b) All appeal procedures shall be managed in accordance with the provisions defined in CN's Complain Handling Policy and Procedures (2020), CN's code of conduct (2020) and Human Resource Management Policy and Procedures (2016) in case of employee of CN.

**2.2.5** It shall be the personal responsibility of all the staff members to ensure safeguarding of all individual, and particularly children and vulnerable adults, they come in contact with.

- i. All staff members and associates are expected to uphold the dignity of all people whom they come in contact with and treat all people with respect
- ii. All staff members and associates are expected to refrain from and prevent, to the best of their ability, any kind of harassment, abuse and exploitation, discrimination including sexual misconducts.
- iii. All staff members and associates should raise concerns if they see something wrong as per the provision for reporting specified in this policy, which shall be duly investigated and addressed.
- iv. Community members and other stakeholders shall be oriented on the expected standard behaviours of our staff and associates in relation to safeguarding.

**2.2.6 Programme management:** We shall ensure that all aspect of our project/programme management, of both development and emergency projects/programmes, shall appropriately and accurately incorporate safe guarding measures.

- 2.2.6.1 **Comprehensive vulnerability assessment** shall be undertaken to inform our project design, implementation and monitoring. Each significant activity or intervention of a project will be reviewed from the social protection aspects.
- 2.2.6.2 Based on the findings and recommendation of the assessment, a '**Safeguarding Plans**' will be prepared for every project/programme, following a participatory process. This shall be an integral aspect of all our proposal development and subsequent planning, implementation and MEAL process.
- 2.2.6.3 The **MEAL framework** will include indicators to monitor and assess our performance against our safeguarding commitments. We shall also conduct regular monitoring and evaluation (including external independent reviews and inspections) to ensure that the safeguarding issues are adequately and appropriately addressed as well as to facilitate our learning and informs our actions.

## 2.2.7 Representation, Confidentiality and safe participation:

- 2.2.7.1 We shall ensure that children and vulnerable adults are represented in respectful and dignified manner, in all our work and by everyone who are engaged with us.
- 2.2.7.2 All our publication, media, social media, communication and other public relations activities as well as Research/studies and MEAL activities shall be undertaken in a sensitive manner protecting the dignity, respect, privacy and confidentiality of all children and vulnerable adults, such that they are not harmed or exposed to risk as a result of their involvement in our activities
- 2.2.7.3 We shall ensure that our staff and associated adhere to strict code **of conduct** related to use computers, mobile, telephones, video and digital cameras and social media appropriately for safety and well-being of the children and vulnerable adults. They shall:
  - a. Ensure that all information is kept securely, are not misuse or released without prior informed consent.
  - b. Ensure any data or information- file labels, meta data or text descriptions do not reveal identifying information about a child and vulnerable adults, when sending or sharing electronically or publishing images in any form, particularly so in case of Children (except in special condition when the individuals themselves desired to disclose their identity, and in case of children only in case where it is in the best interest of the child and in case where the children and their parents/guardian provides written consent for it).
  - c. Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming children and vulnerable adults.
  - d. Ensure that images are presented in a dignified and respectful manner (such as ensuring individuals and particularly children are appropriately clothed).
  - e. Ensure images are honest representations of the context and facts.
- 2.2.7.4 We shall ensure **safe participation** of everyone we engage with through our projects and programmes. The staff, and those organizations working on behalf of Caritas Nepal, shall be held responsible to safe guard the children and vulnerable adults, to the maximum possible extent, from deliberate actions that put them at risk of exploitation, harassment, discrimination, exclusion and abuse including sexual exploitation and harassment.

## 2.2.8 Governance Body

- 2.2.8.1 Necessary due diligence shall be conducted before appointment of Executive Committee or engaging individuals as our general members, which shall include reference check and Police Verification.
- 2.2.8.2 CN shall ensure induction and orientation sessions (including refresher) on this policy and other relevant policies and procedures for the general members and Executive Committee members,

2.2.8.3 All members and board members shall sign a self-declaration form verifying that they have read, understood and shall adhere to the provision CN's Code of Conduct including this policy and all relevant policies.

## **2.2.9 Human Resource Management**

2.2.9.1 Sensitivity towards safeguarding shall be included as a key behavioural competency for recruiting our staff members

2.2.9.2 We shall incorporate a thorough screening measures in our recruitment and selection policy and procedures, to screen all the employee (including volunteers, interns) before making the selection decisions. The procedure will include (but not limited to) identity and background checks for criminal record/police background check (Police verification) and Referee checks (with the most recent employer where feasible) prior to engagement with Caritas Nepal.

## **2.2.10 Partnership and collaboration**

2.2.10.1 Shared valued with regards to safeguarding shall be a critical factor for all our partnership engagements with our implementing partners including donors, consultants/contractors/vendor and anyone who represents us or work on our behalf.

2.2.10.2 We shall collaborate with local bodies, legal/regulatory government agencies, police, local protections mechanism and other civil society organizations and service providers (such as for counselling services, legal aids) in order to facilitate access and promote effectiveness of safeguarding, protection and support mechanisms

2.2.10.3 We shall strengthen our local partners and the local institution we work with (such as the cooperative) to function as a nodal agency to:

- a) extent the necessary support services to survivors (as feasible)
- b) function as watch dog and advocates for safeguarding concerns
- c) engage excluded community and mobilizing the larger local community for promoting social inclusion

2.2.10.4 The code of conduct related to safeguarding shall also be applicable to all our partners and associates. Activities conducted for or on behalf of CN (by our associates- partners, vendor/contractors/consultants ) should also mandatorily includes measures to ensure safety and protection of children and vulnerable adults. This shall be assessed by the concerned officials before approval of the contract and execution of the task (for example for research concerning vulnerable adults and children should clearly defined the ethical measures ensuring protection of vulnerable groups)

## **3 Additionally, following policy provision has been defined for specific areas related to our social protection and safeguarding commitments**

### **3.1 Child Protection Policy**

3.1.1 We define:

- i. "Children" as anyone under the age of 18, though *national law and local custom may use different definition.*

- ii. “Abuse” any act or failure to act that results in actual or potential harm to a child, negatively impacting their *survival, development and well-being* which include neglect, physical abuse, sexual abuse and emotional abuse etc (Refer to Annex 1 for the definitions) .
- *It includes any act or failure to act (omissions) that results into harm for children*
  - *It may be actual, or potential risk*
  - *It may be intent or unintentional (deliberate or inadvertent act)*
  - *It may be through any means - written/verbal/sign/signals/body language including phone/mobile and online platforms*
  - *It may be by anyone including immediate family members, close relatives, guardians, care taker.*
- iii. “Child Safeguarding” as not exposing children to any kind of risk of abuse either through their contact with our staff and associates and/or due to their participation in, or the impact on them of our activities (including our projects, programmes and interventions) and/or due to failure to report and respond to child protection concerns.
- 3.1.2 We are aware that children are at more vulnerable and at higher risk of abuse than adults in general, and hence needs to be safeguarded. We strongly condemn any and act of violence and abuse against children and are committed to safeguarding children to the best of our abilities.
- 3.1.3 This overall policy framework and the specific provision for child protection herein, aims to create and proactively maintain an environment where children are *respected and protected* from any kind of preventable harm regardless of their economic or social status- poverty, sex, sexual orientation, caste, class, race, colour, ethnicity, nationality, language, geographic location, religious belief, disabilities, , medical conditions or political affiliation ideologies or any belief and professional/work (of the child or their family/guardian/caretaker).
- 3.1.4 We shall conduct all our s/projects, activities and operations in a manner that is safe for the children. We shall be guided by our values underpinned in Catholic Social Teachings, Caritas Internationalis Child Protection Policy Framework, United Nations Convention on the Rights of the Child (UNCRC) and all the national and local policies and practices that promotes protection of children (Children Act 2075). CN shall be guided by the following specific principles in relation to our work with children:
- “**Do no harm**” to children
  - Promoting and protecting the “*best interests*” of the child at all times
  - “**Zero tolerance**” of child abuse
  - Viewing child protection as a **shared responsibility** between CN and all our staff, partners, associates or anyone representing or working on our behalf including the members of the community where we work with and the child’s family and his/her social networks.
  - **Personal responsibility** of each individuals associated with CN to ensure protection of children- Full compliance with policy measures, code of conduct and mandatory reporting of suspected or confirmed case of child abuse
  - Due **respect and participation** of children in developing our child protection measures and in any decisions that impacts children.
- 3.1.5 We shall designate an official with the responsibility of overseeing and facilitating child protection measures in Caritas Nepal (who shall be referred to as Child Protection Officer/ Focal Person). The Child Protection offer shall be the first point of contact for staff on child protection issues
- 3.1.6 We shall express our solidarity (and collaborate where feasible) with the government and civil society initiatives on child rights and safeguarding [such as Children as Zones of Peace (CZOP) campaign and Schools as Zones of Peace (SZOP) national campaigns; campaign against child marriage; reaching to out of school children; school sanitation programmes etc].Where feasible CN shall also join national and local networks on child rights and protection.
- 3.1.7 We are also aware that children belonging to vulnerable groups (such as girls, children with disabilities, belonging to religious or social minorities and children with less access to economic resources) and also

children in situation of emergency and humanitarian crises, faces additional vulnerabilities; are subject to multiple discriminations and hence are at increased risk of abuse as compared to other children in general. Hence, we shall make necessary accommodations and undertake additional measure to ensure inclusion and safety of such vulnerable children.

3.1.8 The vulnerability assessment framework shall include a comprehensive assessment of risk focusing on child protection, which shall help us understand and design appropriate measures for child protection in which shall be mainstreamed in all our development and humanitarian programme interventions. It shall inform our project/programme design, implementation and MEAL initiatives.

3.1.9 CN shall take every allegation of any act of abuse of children and violation of this policy seriously. We shall ensure that:

3.1.9.1 All allegation of child abuse reported shall be managed to in a timely, appropriate manner and in a way that safeguards the best interests of children.

3.1.9.2 All allegation shall be reported as per the procedure define in our complaint handling policy and procedures (2020). Additional measures with specific reference to safety, security and well-being of children, and based on the principle of “do no harm”, shall be defined (by the protection officer and reflected in our Complaint handling procedures.

3.1.9.3 All allegation of child abuse shall be first assessed internally to ascertain if there is credible ground to proceed the complaint. If the allegation is found to have credible basis then the case shall be forwarded to external legal authority (police) to proceed with investigation and charging.

3.1.9.4 Proven allegations shall be considered as a major offense subject to immediate termination of any engagement with CN.

#### **3.1.9.5 Incident management**

- i) Staff and associates are mandated to immediately report any incidence (including suspected or potential) case of child abuse, through the established channel, where there is definite knowledge or reasonable suspicion, that the harm was inflicted or knowingly not prevented.
- ii) The child shall be protected from any further harm and will be provided with necessary support and services

3.1.10 **Safe Participation of Children:** We shall ensure that children are safe while participating in our events, activities (project/programme related or otherwise), media/publication/public relations, projects, monitoring and evaluation, research activities or when visiting our offices and premises.

- a) Personal contact or engagement with children are strictly forbidden. Even professional contact (or engagement) with children will be limited unless absolutely necessary.
- b) Any events requiring involvement of children shall be adequately planned following a risk assessment which will include specifying emergency measures. This plan shall be prepared by the designated officer in charge of the project/programme activities or event and approved by the designated personal appointed for child protection (protection desk/Child protection officer)
- c) Staff accompanying children for official events and activities and responsible for ensuring the safety and wellbeing of children and adequately skilled and suitable to perform this role. Necessary orientations (and training) for such staff shall be arranged by the protection desk
- d) Prior written consent from the child’s parent or authorized guardian is mandatory for any kind of contact, consultations /interviews (including for taking written feedbacks/inputs as in case of survey) and for media, communication and public relations activities.
- e) All contact with children should be under supervision of accompanying adults. For every contact with children, it is mandatory to practice the **“two adult rules”, where at least two adults (preferably family members, guardian, relatives or caregiver) needs to be present with the child during any kind of professional interaction, activities or services. In case there is a need to**

**interview or consult a child in private, the “two adult rule” shall still be applicable such that the child is within the view of the accompanying adults, and shall be heard if the children calls for their attention.**

- f) The purpose of any contact or engagement with children (consultation, participation or use of photograph) of shall be clearly explained to both the child and the parent/guardian, with specific emphasis that the inputs/images shall not be used other than the disclosed purpose and the child/parents/guardian has the right to deny or discontinue the process of engagement or consultation at anytime retract their consent for participation, input or photograph (and discontinue the contact or engagement). A format for seeking this consent (including the text for explanation of the purpose, the rights of child/parents/guardians) shall be developed by the Social protection desk/Child protection officer and included as Annex 3 of this document
- g) It is mandatory to provide a child and their parents/guardians with contact details of the person conducting the consultation/interview or organizing the events or taking photographs and images and the contact details of the designated Child Protection Officer in case the child/parents/guardians want to contact for any purpose

3.1.11 **Representation and Confidentiality:** CN commits to protecting the dignity, respect, privacy and confidentiality of all children who comes in our contact, following the provision stated in the section on safeguarding (section on “Representation, Confidentiality and safe participation”).

3.1.12 **Child Protection Code of Conduct:** We shall enforce a stringent code of conduct for all our staff members (including volunteers, interns), in relation to actions, behaviour, attitude, relationship and interaction with children. *This shall also be applicable to all Executive Committee members and General members and our associates, any one representing us or acting on our behalf or anyone visiting CN’s project/programme areas or contacting children associated with CN.*

All staff members and associates:

- 3.1.12.1 Shall be aware at all times to uphold the dignity of each child and their family and treat them with upmost respect
- 3.1.12.2 Shall conduct themselves, personally and professionally, at all times, in a manner consistent with the values and principles of CN, upholding with their role as CN’s representatives, in absolute compliance of the defined code of conduct and such that it sets positive role model to children.
- 3.1.12.3 Are expected to have a very clear understanding of appropriate behaviour towards children, what is expected of them in terms of their interaction and relationship with children.
- 3.1.12.4 Shall conduct themselves in a responsible manner, establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or violation of the professional relationship.
- 3.1.12.5 Shall be personally responsible to safeguard the children whom they are in contact with and take necessary actions (including report) to prevent any acts to harm or mitigate any risk. They should be aware, alert and perceptive at all times of situations and behaviours that may present risks or be perceived by others as child exploitation and abuse and pro-actively develop strategies to safeguards the child’s interests, safety and wellbeing and shall immediately report any incidences of child abuse the same in accordance with the defined mechanisms appropriate procedures.
- 3.1.12.6 Shall establish contact with children mandatory following the provisions stated above for “safe participation of children”.
- 3.1.12.7 Shall create a welcoming, safe and inclusive environment for children. They shall always
  - i. Listen to children

- ii. Be very gentle with children. Be very sensitive with language, gestures, voice etc.
- iii. Respect cultural and any other differences
- iv. Refrain from touching children inappropriately
- v. Refrain from showing favouritism or show unfair preferential or differential treatment towards particular child
- vi. Stop any action or activities if the children express (or appears to be in) discomfort

3.1.12.8 Staff members are prohibited from any form of abuse causing physical, emotional or psychological harm. Staff members and associates **SHALL NOT**:

- i. Condone or participate in any behaviour which is illegal, unsafe or abusive towards children including harmful practices (cultural, traditional, spiritual or ritualistic such as child marriage).
- ii. Condone or participate in any act or use of language (conversation, comments, questions) or sending message by any medium (direct, phone, online/email/social media etc) or demonstrate attitudes or behaviour that is inappropriate or judgmental, harassing, abusive, sexually provocative, demeaning, intimidating, culturally inappropriate offensive or discriminatory; or expose children to shame, humiliation or ridicule, belittle or degrade a child or place them in danger or expose them to humiliation, pain, grief or trauma (such as reactivating a child's experience or memory of past traumatic events).
- iii. Refrain from addressing children as their wife/husband/girl-friend or boyfriend or love or partner or other terms having similar connotation.
- iv. Engage children in any activities that is inappropriate given their age or developmental stage which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- v. Engage in any form of physical punishment/discipline or ill-treatment of children
- vi. Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way. Any physical contact (touching) with children should only be in response to the need of the child and with their permission, and should not be inappropriate in any ways. Such action should always be open and non-secretive.
- vii. Do things for children of a personal nature that they can do for themselves (e.g., toileting, dressing, feeding, washing, etc.)
- viii. Gifts anything to children as it could be perceived as exploitative behaviour
- ix. Use cigarettes, alcohol, tobacco, drugs or another harmful substance in presence of children and be intoxicated when with children
- x. Provide access to or encourage use of cigarettes, alcohol, tobacco, drugs or any other harmful substance to children
- xi. Condone or participate in any sexual activity with children which includes inappropriate touch (with sexual intent), conversations or sending message/text through any medium to harass or sexually exploit children and exposing children to pornography or sexual content or any other act that constitute sexual exploitation and harassment (Refer to section on protection on sexual exploitation and harassment for definitions). Mistaken belief of age nor consent shall not amount to an excuse or defence for such offence. (Refer to definition of sexual abuse in Annex 1).
- xii. Spend time alone with a child for purpose other than for professional/official purpose; or invite unaccompanied children into their private space (home, office, hotel), or take children for walk or vehicle ride (even for short distance) or sleep close to unsupervised children or spend night in the same room with a child alone. Exception can be in case of own child or in circumstances where it is absolutely necessary for security reasons. If necessary and unavoidable, it is mandatory to make sure an adult care provider/parents/guardian or another adult or staff members are aware of its occurrence and immediate supervisor and Child Protection officer are informed at the earliest as possible.
- xiii. Ask for child personal information (unless authorized by the organization for official purpose) or contact or send any messages to a child for other than for professional/official purpose, directly or through phone, text or online platforms and social media like facebook,

twitter, whatsapp, skype or through text messages. If any child makes an attempt to contact, such situation shall be discussed with their supervisor (or designated authority in case of associates) and the designated child protection officer to assess if it would be essential to respond to the child for his/her safety and protection. The staff and associate shall act in accordance with the directives of the supervisor and the designated child protection officer

- xiv. Hire children (for domestic purpose or any other purposes) regardless of any perceived benefit to the child or the family/parent/guardian.
- xv. Stay silent, ignore, cover up, or enable any known or suspected safeguarding incident or breach of this child protection policy.

## 3.2 Protection Against Sexual Exploitation and Harassment (PSEAH)

**3.2.1** Caritas Nepal are committed to put necessary measures in place to protect against and addresses any incidences of Sexual Exploitation and Harassment (SEAH). These measures are built upon our understanding that:

- i) **Sexual Exploitation** is any, actual or attempted ,sexual act of violence, either by force or under unequal or coercive conditions through abuse of a power (authority) or taking advantage of a person's position of vulnerability or trust, for person gains. Such act usually entails some kind of profiting - financial gain or social or political advantage or any other non-legitimate purpose. Sexual exploitation includes (but is not limited to) exchanging money, employment, services, goods or assistance for sexual gratification; making sex or sexual favour a condition for assistance; trafficking; forcing someone into prostitution; pornography; forced marriage or relationships; sharing or accessing of pornographic contents and facilitating sexually exploitation of a vulnerable person by someone else for personal gain.
- ii) **Sexual harassments** is all unwanted (unsolicited) acts of sexual nature, which makes the recipient uncomfortable; may causes physical or emotional harm and negatively effects one's wellbeing (including work performances). It includes (but is not limited to):
  - a) **Verbal:** verbal abuse; using crude and degrading sexual terms/slangs/ comment about bodies or sexuality; name calling; sexist remarks, ridicule or mockery, insults or put-downs; sexually offensive jokes or teasing; sharing/asking about one's sexual encounter or preferences; spreading sexual rumours , or any act or comment to dehumanize or objectify someone.
  - b) **Physical:** Touching in inappropriate (sexual) manner- pinching, grouping, grabbing; physical intimidation (e.g., standing too close to someone, following someone, blocking someone's way; or brushing up against a person); forcing a victim to touch the perpetrator or look at sexual body parts or watch sexual activity or sexual content ( pornography); touching/ grabbing one's own body/private parts in presence of targeted person, playing sexual practical pranks; pulling others or own cloths to reveal body with sexual intent. It also includes actual or attempted molestation and rape.
  - c) **Gestures/mannerism:** Giving gifts or leaving objects that are sexually suggestive; making sexually suggestive gestures and expressions- facial expression (winking, licking/biting lips), Leering (looking, staring, or gazing in a lascivious or unpleasant way); whistling; Cyber bullying (sending sexual content or sexually suggestive material in phone or emails; Sexting); producing/controlling/downloading/receiving/possessing or sharing sexual/pornographic content (text, poems, pictures, jokes, cartoons, meme, films or other content); repeatedly asking a person to socialize or spending time alone during off-duty hours (even in pretext of work/professional purpose), stalking (including online stalking) exposing private parts etc. It also includes implicit or explicit attempts to make work conditions contingent upon sexual cooperation or condition for access to work (job), services or support.
- iii) **We understand that sexual exploitation and harassment:**
  - i. Can be a one-time occurrence or a persistence, repetitive act involving a pattern of behaviour
  - ii. Harassment can be direct or indirect; in person or through others and through any medium- phone and online platforms- email, social media, chat room etc

- iii. Is gender neutral. The perpetrator and the survivor can be of any sex or sexual orientation. The perpetrator can be of the same and of the opposite sex.
  - iv. Can occur anywhere- in office, community where we work or even in personal space
  - v. Can involve any one. The perpetrator or the survivor can be anyone- co-worker, supervisor, subordinates or a stranger. Often, the perpetrator is likely to have power or authority over the survivor
  - vi. It can occur in situations in which the targeted person may not be aware of or understand what is happening.
  - vii. May or may not include any explicit offer of sex or nudity)
  - viii. May or may not be intended for sexual gratification. It can also be for i) creating a dominance or ego boost or to maintain privilege ii) it can be for creating a hostile work environment- Using sexual content or sexual behaviour to intimidate and affect one's performance and well-being or for coercion.
- 3.2.2 Any act that constitutes “bargained-for sexual harassment” shall also be considered a sexual offense, where submission by another is made either an explicit or implicit term or condition of employment, support or services- or other entitlements such as one's career, job allocations/assignment; performance, promotion/career advancement, rewards, compensations, incentives, or other learning and growth opportunities shall also be considered a harassment. In such case the, apparent consent of the submitting party shall be considered void and subject to disciplinary action
- 3.2.3 We acknowledge that there is likelihood that the situation may arise from misunderstanding by the perpetrator and/or the targeted person. These misunderstandings can be reasonable or unreasonable. Whether the response is reasonable or not shall be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular susceptibility of an individual, unless that susceptibility is known to the alleged harasser (perpetuator).
- 3.2.4 We understand that sexual violence is embedded in unequal power relations, which are often gendered. Hence, we are committed to invest in creating an organizational culture of gender equality and empowerment [(see section on gender equality and empowerment (gender policy)].
- 3.2.5 We have zero tolerance for sexual exploitation and harassment. All act of sexual exploitation and harassment is prohibited, whether it takes within CN's premises or elsewhere or during or off duty.
- i. We shall take all allegations of sexual misconduct seriously and respond vigorously whenever cases occur with strict measures of sanctions which may include immediate dismissal and reasonable compensation for the survivor.
  - ii. Mistaken belief of consent shall not amount to any excuse or defence for sexual offence. Neither shall any claims of lack of understanding and awareness of the expected conduct or provision in this policy.
  - iii. All allegation of sexual exploitation and harassment shall be addressed at the earliest possible, not exceeding the days indicated in CN's Complainant Handling Policy
- 3.2.6 All staff members and associates are mandated to act with sensitivity and respect for every human beings. They shall not engage in, condone or tolerate behaviour that would constitute sexual exploitation and harassment and must accept responsibility for their conduct. This entails all activities that constitutes sexual exploitation and harassment as defined above including prostitution and trafficking of human beings, in all forms. They shall also not use their power or position to withhold jobs, assistance or services to give preferential or differential treatment towards anybody for sexual end.
- 3.2.7 All allegation of sexual exploitation and harassment shall be first assessed internally. After the preliminary assessment, if there is credible ground to proceed the complaint, then depending upon the circumstances and the case, the management shall decide to either proceed with internal investigation and sanctioning or hand over the case to external legal authority (police). All serious and sensitive allegations (such as sexual assault, molestation and rape), shall be handed directly to the police

- 3.2.8 Sexual relations (including any romantic/emotional relationship) between the staff members themselves or with representatives of CN's associates and members of the community where we work is strictly prohibited unless a) such relationship is with mutual consent and b) is not deemed illegal and subject to criminal prosecution (like in case of adultery which is a criminal offense in Nepal).
- i. Any such relationship needs to be disclosed (formally and in written) to Executive Director, Designated Safeguarding Officer and Head of Human Resource Unit in order to assess the risk of such relationship constituting (or having potential for) any kind of exploitation or harassment.
  - ii. Necessary measures shall be undertaken to ensure that the individuals involved are not in a supervisee- supervisor or evaluative relationship or have control on the employment conditions
  - iii. Such disclosure shall be kept confidential by the concerned authorities.
  - iv. In course of any of the party withdrawing their consent, continuation of such relationship shall be prohibited and treated as a sexual offense.
- 3.2.9 A point of contact (first contact) shall be appointed in all locations we work with regards to handling complains in event of allegations of sexual exploitation and harassment in addition to setting up other necessary complaint handling mechanism (such as complaint box; phone number etc) . The community members and beneficiary shall be informed about this point of contact and adequately oriented on the process of registering complaints in event of allegations of sexual exploitation and harassment.
- i. We shall strongly promote a culture 'speak up and speak out' .
  - ii. All staff members and especially supervisors, seniors manager and HoDs shall be responsible to build an environment of respect and trust that prevents sexual and exploitation and harassment and encourages a culture of open conversation and reporting.
  - iii. Senior managers and supervisors are particularly mandate to support their subordinates and team members to voice out their concerns and ensure protection against any retaliation
  - iv. Staff and associates should not stay silent, ignore, cover up, or enable any known or suspected incident of sexual exploitation and harassment and should report any concerns to relevant authority as stated in the Complaint handling policy and procedure (2020)
- 3.2.10 The survivor shall have the right to choose informal means for resolution of any allegation of sexual exploitation and harassment, before perusing the formal channel.
- i. The informal means of resolution may include but not limited to
    - a. Face to face discussion of the concern(s) and the desired resolution(s) with the alleged perpetrator, with or without the facilitation or presence of a designated protection officer or human resource representative or a supervisor (of the survivor or the alleged perpetrator).
    - b. Written presentation of the concern(s) and the desired resolution(s) to the alleged perpetrator with or without the facilitation or presence of a designated protection officer or human resource representative or a supervisor (of the survivor or the alleged perpetrator).
    - c. Seek direct intervention of the designated protection officer or human resource representative or a self/alleged perpetrator's supervisor to discuss the concern(s) and the desired resolution(s) with the alleged perpetrator with (or without) the presence of the survivor.
    - d. Discuss the c concern(s) and the desired resolution(s) in presence of an external professional facilitator or a counsellor. The cost of such external engagement shall be discussed with and approved by the ED).
  - ii. Such decision of perusing informal means (in place of formal means) of resolution shall not be influenced in any way by the alleged perpetrator or by anyone else. Such forceful act shall be considered as a major offense and subject to disciplinary actions.
  - iii. Informal means of resolution (including settlement) shall not be allowed for any case of sexual offense that has resulted into serious physical or psychological harm to the survivors (such as actual or attempted sexual assault- molestation, rape)

- iv. Staff and associates shall peruse formal channel i.e. formally registering the complaint as stated in our Complaint Handling Policy and Procedure (2020), if reasonable attempt of resolution through informal means fails or the perpetrators does not honour the desired resolution (or the agreed course of action) or does not changes their conduct

### 3.3 Gender Policy: Gender Equality and Empowerment

- 3.1.1. We acknowledge that that Gender Equality is a basic human right and hence a critical component in fulfilling our organizational mandate to advance our vision of a peaceful, inclusive and a just society
- 3.1.2. We shall address gender concerns with the understanding that:
  - i. **Gender** refers to the socially constructed characteristics (identities) of women and men that defines the norms, roles, and relationships of and between groups of women and men. It varies from society to society and can evolve over time.
  - ii. Gender and Sex are different. Sex refers to the biological differences whereas gender refers to the socio-culturally constructed differences based on sex.
  - iii. Gender is not only about women. Men also experience discrimination and disadvantage based on social expectations and gender stereotypes. However, women, are more at disadvantaged than men due to the unequal power relations and the different gender norms, roles and relationships society ascribes to them.
  - iv. Gender discrimination and inequality also extends to persons with different sexual orientation and gender identities (SOGI), those who does not ascribe to the binary classification of sex (male and female). It includes Lesbian, Gay, Bisexual, Transgender, Intersex and Queer and others (LGBTIQ+)
  - v. Gender intersect with and exacerbate other factors contributing to marginalization, including caste, class, ethnicity, religion, disability and sexual orientation.
  - vi. This means:
    - A) The root cause of the gender inequality:
      - a. is due to the difference in the value(worth) assigned to different groups (men, women and persons with different sexual orientation),
      - b. is due to the subsequent inequality in the distribution of power and privileges among these different groups,
      - c. which is perpetuated through socially ascribed normative gendered norms, roles/responsibilities; relationship; expectations and stereotyping
      - d. which is manifestation of one's deeply rooted values, attitudes and beliefs
      - e. that leads to gender based discrimination and harassment which includes:
        - Inequitable access to resources, opportunities, services
        - Restricted freedom– mobility, voice and agency (decision making, choices)
        - Gender based violence (GBV)- exploitation and harassment (including sexual harassment), domestic violence, unequal pay, unrecognized unpaid care work and harmful cultural practices [such as the taboo associated with menstruation (chaupadi system)] and other modern day slavery [trafficking, prostitution; child/early/forced marriage, domestic servitude and forced labor/bonded labor (kamalari)]
    - B) **Gender identity** i.e. one's internal and individual experience of gender and the associated and relative gender differences and intersecting identities means that:
      - a. men, women and persons with different sexual orientation have different need and aspirations
      - b. they have different capabilities – capacity, resources networks (social capital)
      - c. They face different vulnerabilities and susceptibility to risk
      - d. They are differently affected by our actions/programme/project interventions. They values different interventions; different outcomes and hence enjoys benefits differently.

- C) **“Gender concerns”** therefore entails the specific needs, aspirations, vulnerabilities and capacities of both men and women (and people with different sexual orientations); the barriers they face in realizing their full potential as equal to other, in the broader context of intersection with different social identities (ethnicity, race and religion etc)
- 3.1.3. We shall be guided by the **Human Rights Framework** and the globally agreed principles, standards and instruments for women’s right and gender equality such as Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), UN security council resolution for peace and security of women (UNSCR 1325 and 1820); Sustainable Development Goals (Particularly Goal 5) and specific references made in other relevant framework and conventions [such as Convention on the Rights of Persons with Disabilities (CRPD); Convention on the Rights of the Child (CRC)]
- 3.1.4. We shall adopt the **“Gender Transformative Approach”**, whenever possible, across our organization and all our project/programmes for addressing gender concerns. The approach recognizes and explicitly tackles the root causes of gender inequality, particularly unequal power relationship and discriminatory social norms
- 3.1.5. We shall also adopt the **“Empowerment”** approach as a key strategy for addressing inequality and injustice. Empowerment approach recognizes that the unequal power relation (and the lack of power) is the main barriers that prevent particularly women, girls and persons with different sexual orientation from realizing their rights, and hence seeks to build their capacity to strength their agency over their own life
- 3.1.6. We shall adopt both **equity and equality** strategies for achieving our gender commitments. While the gender equality approach enables us to ensure that all people regardless of their sex are treated equally; more importantly recognizing and equally valuing the relative differences and intersecting identities and accordingly recognizing their different need, aspirations, opportunities and constrains and respond accordingly. Whereas 'Gender equity' is the process that helps to achieve gender equality thereby taking, where necessary and useful, equity measures (affirmative action) for addressing gender gap. It does entail differential treatment but are considered to be equivalent in terms of rights, benefits, obligations, and opportunities. Hence it is the deliberate process of being fair in order to produce equal and measurable outcomes for all.
- 3.1.7. Recognizing that women, girls and persons with different sexual orientations are more at disadvantage, our gender interventions shall primarily focus on empowering women and girls (and also persons with different sexual orientation where necessary). However, we also recognize the fact that men/ boys are equal partners in realizing the goal of gender equality and hence shall engage them in dialogue and actions around gender equality
- 3.1.8. Gender Equality is a fundamental human right issue but also a development agenda for us. Hence it is also a programmatic concern for us. Without addressing the gender concerns and the deeply rooted gendered power relations, we will not be able to achieve our programmatic goal. Hence gender equality shall be a central focus across all our work. We shall strive for gender equality both through programmatic response but also institutionalizing it internally, across the organizational, as a value driven, ethical work practices.
- i. We shall ensure that there is no sex-based discrimination in all aspect of our works particularly :
    - in access to resource, opportunities and services
    - meaningful participation at all levels and in exercising one’s own agency independently (in decisions, making life choices, influencing actions and outcomes as per one’s best interest)
    - Participating, influencing and benefitting equitably from our programmes (and actions)
  - ii. We shall ensure adequate financial and human resources to meet our gender commitment.
  - iii. We shall assign a designated focal point (including a programmatic team) to facilitate the process of achieving our gender commitment (Presently assigned to Gender Desk)
  - iv. We shall invest in fostering a safe, gender sensitive work environments for all staff and in the community, we work with by establishing clear accountability mechanisms to prevent and protect against gender-based discrimination, exploitation and harassment.

- v. We shall put measures in place to ensure that gender-specific vulnerabilities, capacities and need are systematically identified and addressed. It shall inform our management processes and decision making including strategic planning, programme design and implementation, monitoring, evaluation, accountability and learning (MEAL) and our internal Management Information Systems (MIS). Gender disaggregated data and reporting against gender specific performance indicator shall be an integral part of it.
- vi. All complaint of gender based discrimination, exploitation and violence shall be in accordance with the provision defined in our Complainant Handling Policy and Procedures (2020). Additional measures necessary for gender sensitive and gender responsive complaints mechanism shall be defined (by gender focal point/Gender Desk) and reflected in our complaint handling mechanism.
- vii. Shared valued with regards to gender equality and empowerment shall be a critical factor for all our partnership engagements with our implementing partners including donors, consultants/contractors/vendor and anyone who represents us or work on our behalf. We shall invest in building our implementing partners capacity (as needed) to meet our common gender goals.
- viii. At the programmatic level we shall ensure gender responsive programming
  - a. We shall mainstream gender in our programmatic interventions. Appropriate mainstreaming strategies , tools and approaches shall be developed by the assigned gender focal point (Gender Desk).
  - b. In conjunction with the gender mainstreaming strategies, we shall also invest in targeted interventions for addressing specific gender concerns (which may entail women-specific actions).
  - c. We shall institutionalize programme management tools and approaches, particularly **gender analysis** and **gender budgeting**, to inform our actions (including programme/project responses) and to **assess** our performance against our commitment for gender equality and empowerment.
  - d. We shall support and work to foster environments that enable gender equality by engaging with community members, local groups/networks, local and government institutions (such as cooperatives; rural/urban municipalities) which will include advocacy, collaboration and Technical/advisory support and specifically focusing on (but not limited to):
    - Accountability for gender justice
    - Promoting equitable access to resources, opportunities services (particularly basic rights – livelihood, sexual and reproductive health right education etc)
    - Promoting access to social protection and safe guarding mechanisms (local safeguarding/protection mechanisms; legal aid)
      - Women’s empowerment for realizing their equal rights: Strengthening women’s agency; decision making and meaningful participation in all spheres particularly in local socio-political and economic mechanism and institutions
      - Gender based violence (GBV) - including domestic violence, and harmful cultural practices
  - e. We shall ensure equitable and meaningful participation of women (and persons with different sexual orientation), in all our initiatives- project/programme activities, events, meetings etc, both in terms of number as well as active engagement. Equitable representation of women and persons with different sexual orientation shall also be made mandatory in all the social structures and mechanisms we promote (such as management committees, users groups or the cooperative we support)
- ix. At the organizational level we shall nurture an organization culture that reflects our commitment to gender equality and empowerment. We shall:
  - a. Reflect our commitment in all our policies and strategic framework particularly related to human resource and organizational code of conduct.

- b. We shall reinforce code of conduct that calls for gender sensitive and gender responsive actions and prohibits any kind of gender discrimination and violence including harassment, sexual harassment and exploitation.
- c. We shall ensure equal opportunities among men, women and persons with different sexual orientations in the areas of recruitment, entitlements and benefits (including rewards, promotions and training opportunities)
- d. Gender sensitivity shall be reflected as a necessary behavioural competency in our competency framework and shall be established as an important selection criteria
- e. We shall promote an enabling working conditions such as special work arrangement for women (and others) with household/unpaid care work responsibility; pregnancy and lactating mothers (like time off; flexi work hours and day care support)
- f. We shall strive for a gender balanced team and equitable representation, specifically at the governance and management level. We shall aim for at least 50 percentage of women in the Executive Committee and leadership/senior management positions
- g. We shall invest in appropriate gender sensitization and other related training and development initiatives (such as gender analysis, gender mainstreaming tools and approaches) so as to build the staff competency and support them to reflect and adopt good practice, positive attitudes and principles of gender equality and empowerment.

### 3.4 Respectful Workplace: Anti-Discrimination and Anti-Harassment Policy

3.4.1 We recognize that everyone is entitled to a respectful work environment, where:

- i. Everyone is treated equally with respect and dignity.
- ii. Everyone's work, role, contribution is acknowledged and valued equally
- iii. Differences between people are recognized, valued and respected
- iv. Everyone is treated fairly, acknowledging and valuing the difference
- v. There is open and civic communication and any conflict is addressed in amicably, in a positive and constructive manner
- vi. There is a culture of empowerment and cooperation.

3.4.2 Caritas Nepal is committed to nurturing a safe, harmonious and respectful working environment which is free of any kind of harassment or discrimination.

3.4.3 We are committed to putting stringent measures to prevent any kind of harassment and discrimination, to the best of our ability and take timely, appropriate and effective action to address any incidences that occurs. These measures shall be informed by our understanding that:

1.3.1 **Discrimination** is the act of treating members of certain group (social categorization) differently and unfairly because of their memberships in those specific groups, whereas **harassment** involves acts that are negatively targeted towards a specific person. Discrimination may manifest itself in form of harassment, whereas discrimination can be used to affect an act of harassment.

1.3.2 **Discrimination:**

- i. Is an act (action, attitude, behaviour) of making distinctions between people based on certain groups, classes, or other social categories to which they are perceived to belong to such as poverty, caste, class, race, colour, ethnicity, nationality, language, geographic location, religious belief, disabilities, sex, sexual orientation etc.
- ii. It usually entails treating people, differently, negatively, with less regards or respects and worse than how other people (of other categories) are treated in general
- iii. The act particularly entails excluding them in (formal/informal) activities, system structures and decision making and restricting them from resources, services, opportunities, entitlements and privileges that are available to members of other group

1.3.3 **Harassment:**

- i. Is any improper, unsolicited or unwelcomed conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person or with the intention to create fear, stress, anxiety, fear, alarm, intimidate, demean, belittle and embarrass another
- ii. It includes any action intended to violate one's dignity, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, to negatively affect one's work performance and/or wellbeing.
- iii. Any improper use of a position of influence, power or authority for determining or influencing the condition of employment, services support or other entitlements shall also be considered a harassment. It includes actions and decision related to (but not limited to) job allocations/assignment; performance, promotion, career advancement, rewards, compensations, incentives, or other learning and growth opportunities etc
- iv. Harassment also include act of work place bullying; victimization, Ostracism or social exclusion and sexual harassment (refer to Annex 2 for definition)

1.3.4 An act of Discrimination or Harassment may:

- i. be actual or attempted act a credible threat to act
- ii. be physical, verbal and non-verbal (mannerism, body language) ; take the form of words, gestures or actions or decision
- iii. have physical and emotional (psychological) effect
- iv. be direct or indirect; by self in person or through others people and any medium- phone and online platforms- email, social media, chat room etc.
- v. occur anywhere- in office, community where we work or even in personal space and during duty period or during off duty period
- vi. be a one-time occurrence or a persistence, repetitive act involving a pattern of behaviour
- vii. include use of physical strength or power of authority or power to coerce through fear or intimidation.
- viii. be or may not be sexual in nature (refer to section on protection on sexual exploitation and harassment)

(Refer to Annex 2 for list of actions that constitutes discrimination and harassment)

1.3.5 However, discrimination and harassment does not include use of legitimate authority, to enforce contractual commitment or reasonable and proper application of management responsibilities such as actions related to performance management, appraisals, disciplinary actions, counselling, allocation/reassignment of tasks or duties, transfers, enforcement of organizational policies and directives and other organizational changes measures etc in compliance with Collective Agreements, contractual agreement, Terms and Conditions of Employment, and defined Employment and performance Standards

3.4.4 We shall enforce a stringent staff code of conduct that strictly prohibits any kind of discrimination or harassment. Any act of discrimination or harassment cannot be justified under any pretext or circumstances. Any non-compliance shall be considered as a major offense subject to stringent disciplinary actions including criminal prosecution, if proven.

3.4.5 All complaint (allegation) of discrimination and harassment shall be addressed in accordance with the provision defined in our Complainant Handling Policy and Procedures (2020).

3.4.6 Harassment of sexual nature shall be addressed in accordance with the provision stated under the section on "Protection against sexual exploitation and harassment- PSEAH" of this policy

3.4.7 We shall invest in awareness, sensitizing, educational and skill development sessions and trainings for promoting workplace harmony and prevention of discrimination and harassment (In topics such as team building, effective/non-violent communication, anti-harassment, social inclusion, equity training etc )

3.4.8 All staff members (and our associated) are expected to contribute to building a harmonious workplace based on team spirit, mutual respect and understanding.

- i. All staff members are mandated to familiarize themselves with the CN's Code of conduct (2020) and the provision in this policy and clearly understand what constitutes harassment and discrimination
- ii. It shall be the personal responsibility of all staff members (and associates) to support in preventing and addressing any act of discrimination and harassments. All staff members are mandated:
  - to treat everyone with respect and dignity
  - respect work place diversity including differences in cultural, religious, sex, disability and other social identity as well as diversity in ideas, believes, ideologies
  - Refrain from and condemn any inappropriate behaviour that constitutes discrimination and harassment
  - challenge inappropriate behaviour and timely report such act (register complaint or whist blow)
- iii. Supervisor and managers shall be particularly responsible to promote and maintain a respectful and harmonious work environment. Managers and supervisors must at all times:
  - a) Act as role models by upholding the highest standards of conduct as well as encourage/inspire and help others to create a harmonious and respectful working environment
  - b) Facilitate effective enforcement of code of conducts (and other related policy provisions) through orientation, guidance/coaching/counselling and monitoring
  - c) Take necessary and timely (immediate) actions to prevent or address any act of harassments and discrimination
  - d) Support the team members in reporting any misconduct, and particularly protecting from any retaliation in accordance with CN's Complaint handling policy (2020), and personally registering the complaint (whistleblowing) where needed.
  - e) Facilitate (and support as necessary) the process of investigation and disciplinary actions demonstrating fairness, impartiality, respect for confidentiality and free from intimidation or favouritism

3.4.9 In case of any incidence, the survivor shall have the right to choose informal means for resolution of any allegation before perusing the formal channel. The provisions for formal and informal means of settlement of any allegation of discrimination and harassment shall be as those defined under the section on Protection Against Sexual Exploitation and Harassment – PSEAH (refer to the section on formal and informal means of settlement of allegation of sexual misconduct).

3.4.10 CN shall arrange for necessary support for the survivors of discrimination and harassment such as counselling, and legal-aid

## 3.5 Social Inclusion Policy

3.5.1 We are guided by the principles of human rights and equality and hence are committed to promote social inclusion within our organization as well as the communities with whom we work with.

3.5.2 We acknowledge that social inclusion is critical for us to realize our vision of a peaceful, inclusive and a just society. It is important to the multidimensional poverty, inequality, exclusion and vulnerability that we seek to address through our development interventions.

3.5.3 We shall advance our commitment for social inclusion with the understanding that:

- i) **Social exclusion** refers to a state in which individuals or groups are systematically hindered (often over long period) to participate fully in economic, social, political and cultural life, due to their social identity. Social exclusion process entails severing one's social relations, social engagement, participations in social structure, system, process and institutions (including social activities); which results to limiting or depriving one's access to rights, privileges and entitlements, that are normally available to members of other groups.

- ii) Whereas, **social inclusion** is the process of improving the terms on which individuals and groups take part in society particularly of those who have been excluded and marginalized to take part in society, on basis of their social identity.
  - iii) **Social Inclusion/Exclusion** is a multi-dimensional phenomenon.
    - a. As in case of Gender, the construct of social inclusion and exclusion also relates to unequal power relations experienced by people on the grounds of their social identity (sex/gender; poverty, disability, ethnicity religion etc.)
    - b. Social exclusion does not only entail material deprivation but also lack of agency. People are also excluded when their rights and dignity are not accorded equal respect and protection; and when people experience feelings of alienation and inferiority and do not do not have a sense of belonging. Even with physical participation (presence), inclusion is not meaningful if people cannot exercise their agency, interact and voice their concern and have control over important decisions and actions that affects them. People may not only be excluded in socio-economic and political system and processes such as legal system, land and labour markets, but also through attitudes, beliefs and perceptions.
    - c. Intersecting Identities (Intersectionality) further reinforces and exacerbate the experience of exclusion, as it is often greater than the sum of all parts
- 3.5.4 We shall promote social inclusion with a focus on addressing differential power relations and reducing disparities with a focus on addressing the barriers people face in engaging meaningfully with the larger community and realize their full potential as equal to other regardless of their social identities, in the broader context of intersection with different social identities (ethnicity, race and religion etc).
- 3.5.5 We shall ensure that all our works are inclusive and there is no discrimination of any kind based on social identities particularly:
- i) in equitable access to resource, opportunities and services which are essential foundation for survival and wellbeing.
  - ii) meaningful participation at all level and in exercising one's own agency independently (in decisions, making life choices, influencing actions and outcomes as per one's best interest)
  - iii) participating, influencing and benefitting equitably from our programmes (and actions)
- 3.5.6 We shall promote social inclusion both through programmatic response but also institutionalizing it internally, across the organizational, as a value driven, ethical work practices.
- 3.5.6.1 At the programmatic level we shall mainstream social inclusion (as an integral part of our social protection measures).
- i. We shall put measures in place systems to systematically assess, identify and address barriers to social inclusion, including specific risk, vulnerabilities, capacities and need related to social inclusion . This shall be an integral a key component in our vulnerability assessment tools). The assessment shall informs our entire project/programme management including, design, implementation and MEAL processes
  - ii. Equitable representation of all excluded, marginalized and vulnerable groups/individuals shall be ensured in all aspect of our programme (in numbers as well as active engagement) which includes selecting our target beneficiaries; participation in all our activities and events and representation in the social structures and institutions we promote (such as cooperatives, users groups etc).
  - iii. We shall support and work to foster an environments that enable social inclusion by engaging with community members, local groups/networks and particularly with the local and government institutions (rural/urban municipalities) in the communities where we work. We shall particularly promote:
    - Identification and recognition of the excluded groups in the community
    - Participatory need identification, planning, budgeting and monitoring to ensure that the excluded groups/individuals are engaged meaningfully in the local development (and emergency) initiatives and the need of the excluded groups are

adequately and appropriately addressed (in local programme and budgets; promotion of social audits)

- Representation of members of the excluded community in the local socio- political and economic structures, institution and mechanism (such as in committees under the municipalities and ward offices; political party, local cooperatives, local users/consumers groups, schools, hospital and other management committees)
  - Equitable representation and meaningful participation of excluded groups in all the local socio-economic and political events, functions
  - Enactment and enforcement of national and local law, policies and programmes that promotes social inclusion (and anti-discrimination) such as law against discrimination against Dalits
- iv. We shall promote the local institutions we collaborate with (such as the cooperative) to function as watch dog and advocates for social inclusion as well as engaging the excluded community and mobilizing the larger local community for promoting social inclusion
- v. Shared valued with regards to social inclusion shall be a critical factor for our engagements with our implementing partners. Their commitment to social inclusion shall be an integral component in our partnership assessment framework

3.5.6.2 At the organizational level we shall nurture an organization culture that reflects our commitment to social inclusion.

- a. We shall reinforce code of conduct that prohibits any kind of discrimination and social exclusion. Staff (including associates) are prohibited from using their power or authority to withhold assistance, services or support or to give preferential treatment, show unfair preferential or differential treatment towards particular individual or groups to the exclusion of others. Any non-compliance shall be investigated and addressed as per our Complaint Handling Policy (2020)
- b. We shall ensure equal opportunities for all our staff members in the areas of recruitment, entitlements and benefits (including rewards, promotions and training opportunities), taking affirmative actions (where needed) irrespective of their social identities (sex, ethnicity, disability etc).

3.5.7 We shall adhere to the provision stated under the section on “Gender Equality and Empowerment” for addressing social exclusion based on sex( and particularly for inclusion and participation of women and persons with different sexual orientation), in addition to measures what has been stated herewith.

## Annex 1: Definitions related to Child Protection

- **Physical abuse/ physically abusive behavior:** refers to actual or likely physical injury to a child the use of physical force against a child that results in harm to the child which include pushing, shoving, punching, beating/hitting, slapping, shaking, throwing, kicking, biting, burning, strangling, poisoning etc
- **Emotional abuse:** refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of a child's self-esteem or social competence
- **Sexual abuse:** refers to any actual or threatened sexual act of violence perpetrated against a child whether by force or under unequal or coercive conditions, which includes molestation, rape, inappropriate touch (with sexual intent); sexting, downloading, possessing, controlling, producing, receiving, distributing/fowarding, or transmitting child exploitation material (pronography, sexually explicit messages, photographs, images or any other contents) through email, phone or any online platforms; exposing children to sexual contents, committing or coercing another person to commit an act or acts of grooming or online grooming including inappropriate touch (with sexual intent).
- **Neglect/Negligent Treatment:** refers to the failure by parents/guardian/caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing either deliberately or through negligence. Neglect includes but is not limited to failing to provide adequate food, sufficient or seasonally-appropriate clothing and/or shelter; failing to prevent harm; failing to ensure adequate supervision; failing to ensure access to appropriate medical care or treatment or providing inappropriate medical treatment (e.g., administering medication when not authorized); or failing to provide a safe physical environment (e.g., exposure to violence, unsafe programming location, unsafe sleeping practices, releasing a child to an unauthorized adult, access to weapons or harmful objects, failing to child-proof a space that children will occupy, etc.).
- **Ill-treatment:** refers to the disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child
- **Exploitation :** refers to the actual or attempted abuse taking advantage of children's vulnerability or of a position of vulnerability, power differential, or trust for the benefit of the individual leveraging their position, power, privilege, or wealth (through enticement, manipulation, coercion or trickery) to engage a child in labor or work in harmful conditions, domestic servitude, criminal activities (pickpocketing, begging, transporting drugs, selling pirated merchandise or contraband), trafficking, organ harvesting, forced into become a child soldiers or join a gang or into child prostitution (commercial sexual exploitation) typically done for monetarily, social, or political benefit
- **Grooming:** Refers to is the process in which an adult builds a relationship with a child or the child's caretaker to gain the child's or the caretaker's trust for the purposes of sexually abusing and/or exploiting the child including with the intention of procuring the child to engage in or submit to sexual activity with another person, including but not necessarily the sender. Grooming typically occurs in phases, and it can happen online (referred o as online grooming) or face to face, by a stranger or by someone the child or caretaker knows. Since it is a gradual process, it can sometimes be difficult to detect. Here are a few indicators that an adult may be grooming a child or his/her caretaker: a. Favoring the child over others b. Providing the child with rewards or privileges c. Isolating the child from others d. Expressing interest in a child who is particular vulnerable or in need of support (e.g., previous abuse of the child by another) e. Befriending the parents or caretakers who are responsible to protect the child f. Providing the child with alcohol or drugs g. Building intimacy (i.e., having inside jokes or telling the child that nobody understands him/her like the groomer does, o r they are secret friends, or share secret) h. encouraging romantic feelings i) Threatening, blackmailing, intimidating, or scaring a child by saying the groomer will do something to the child's family or friends
- **Inappropriate touch:** Refers to any form of touch that makes the children feel uncomfortable in any way, is unwelcoming (Any touch, even if not forceful or violent, and even if done with good intention or for praising, or consolation like hugging, holding hand, patting or shuffling hair, if it makes the child uncomfortable, it should be completely avoided)

- **Child Labour:** The term “child labour” generally refers to any economic activity performed by a child (under age 14 as specified in Nepal’s labour law)
- **Child Trafficking:** Transportation, transfer, harbouring or receipt of children for the purpose of exploitation such as for labor, prostitution or sexual exploitation

#### Annex 2: Definitions related to Safe Work Place Policy

##### **The act of discrimination and harassment also includes:**

- d) **Workplace bullying,** which refers to systematic and persistent pattern of mistreatment, usually using a combination of tactics (verbal, physical, gestures etc). It includes (but not limited to) personal attacks; social ostracism or exclusion; constant non-constructive criticism; undermining other’s contribution; projecting others as worthless; allocation of irrelevant or demeaning tasks or unnecessary work load; manipulation to sabotage one’s performance by setting them to fail (with unrealistic targets/ deadlines); deliberately withholding information or resources; misleading or misrepresenting information etc
- e) **Victimization,** which refers to is taking retaliatory action, or treating an individual less favorably than others would be treated in the same or similar circumstances, against individuals who are informant, witness, whistleblower or against who have discussed, disclosed or registered complaint of any misconduct
- f) **Ostracism or social exclusion,** which refers to a process or a situation of purposefully excluding or dismissing someone from the groups. This includes (but not limited to) cases where one is made to feel ignored, side-lined or disregard. Such acts are often subtle, invisible act (and often difficult to record it or provide evidence to prove it). It includes acts such as silent treatment, not acknowledge the presence in official meetings or events or excluding from conversation; opportunities, task/projects/ official or informal meetings, gatherings, events, or learning and sharing sessions; being left out of email, distribution or invitation list, depriving of information and updates on work etc

##### **The act of discrimination and harassment can be (but not limited to):**

- g) **Verbal harassment include:** Using abusive, crude, degrading or derogatory or sexually provocative, demeaning or culturally inappropriate language or words/statements terms/slans/ comments targeting one’s bodies or sexuality or one’s belief, idea, ideologies, socio-political affiliations, associations or other social is identities [poverty, caste, class, race, color, ethnicity, nationality, language, geographic location, religious belief or any other social identities or conditions, disabilities, sex, sexual orientation] or work, personal life family; yelling, threatening, name calling; using nicknames/proposition; ridiculing; mockery, insults; teasing; Starting/Spreading malicious , offense jokes
- h) **Physical:** Unwelcomed physical contact such as pushing, hitting, pinching, tripping, playing practical jokes; ripping, tempering or damaging personal or assigned asset/resources,/equipment and sexual assaults (refer to section on sexual harassment)
- i) **Gestures/mannerism/ demeanor:** facial expression, mimicry, whistling, offensive graffiti; using computers, mobile phones, video cameras, cameras or online platforms/social media((Facebook, tweeter, WhatsApp, chatroom etc)) to send inappropriate content; producing/controlling/downloading/receiving/possessing or sharing inappropriate content (text, poems, pictures, jokes, cartoons, meme, films or other content);or Cyber bullying (trolling, online exchange/ fight ); sabotaging one’s work performance (refer to bullying) etc.

CONCENT FORM

This consent form should be used by anyone taking photographs or record image or consulting children and/ or young people in program/project locations of Caritas Nepal. This consent form is to be filled in before taking photographs/recording images/interviewing and consulting a child or a young person under the age of 18 years.

Caritas Nepal ensures that all necessary steps are taken to protect children and/ or young people from inappropriate use of photographic and recorded images and interviews. At least two staff members and a parent/guardian of a child and/or a young person will be present at the time of taking photographs/recording/images/interview and consultation with them.

Name of the child: .....Age of the Child: .....

Address: .....Name of Parent/Guardian:.....Signature of Parent/Guardian:.....

I ....., staff/associate/partner of Caritas Nepal with to take photographs/record images/interview/consult the above named child/young person for the purpose of: .....

I ..... have read and understood and abide by the rules mentioned in the Social Security and safeguarding Policy of Caritas Nepal and clearly understand the need to protect children and/ or young people from any physical, sexual, emotional harm. The photographs/recorded images/interviews will be used officially and in appropriate manner.

I will immediately stop taking photographs/images/interviews, if a child, parent, guardian feels uncomfortable with the process.

Name: .....Signature: .....

Contact Number: .....Date.....

Name of the Organization: .....

**Accompanying staff:**

Name:.....Designation:.....

Contact Number: .....Date: .....

Name of the Organization: .....



.....  
*(Handwritten signature)*

Sr. Durga (Cecilia) Shrestha

President of Caritas Nepal

August 16, 2020